

pride in sport



PARTICIPATION GUIDELINES FOR THE INCLUSION OF TRANSGENDER, NON-BINARY AND GENDER DIVERSE PEOPLE IN TOUCH FOOTBALL AFFILIATES





CEO FOREWORD



Touch Football Australia (TFA) has long been committed to providing a place on the field for everyone, delivering a sport that everyone can play. To ensure we are living up to these standards we need to provide a safe, fun and inclusive environment that is accessible to all people, including those of diverse sexualities and genders.

Being an inclusive organisation not only reflects our core values, it also reflects the ever changing diversity of our local communities. We celebrate equality and diversity; in sexuality, gender identity, gender expression, sexual orientation, intersex status, cultural background, ethnicity, location, religion, political beliefs, life stage, ability and skill.

Since our sport's inception, Touch Football has been helping people lead happy, healthy and active lives; uniting people, families and communities across the country and creating lifelong friendships and memories. By adopting these guidelines our hope is that trans and gender diverse people all across Australia can feel welcome, accepted and comfortable so that they too can enjoy the many benefits our sport has to offer.

While we have taken giant leaps in recent times in equality, diversity and inclusion we have a long way to go if we are going to play our part in enhancing the lives of trans and gender diverse people. Sport is proven to boost the health and wellbeing of those who participate; unfortunately, research also shows sport is considered hostile and unwelcoming to young people with diverse sexualities and genders.

Almost 40% of trans and gender diverse people aged 18 years and over have been diagnosed with anxiety (almost 14% higher than the general population) while 57.2% of trans and gender diverse people aged 18 years and over have been diagnosed with depression in their lifetime. Alarming, 35% of transgender people aged 18 and over have attempted suicide in their lifetime, compared to 3.2% of the general population.

Not only can sport improve lives; but by adopting inclusive guidelines such as these we will save lives.

In Touch Football, there is a place on our field for everyone, exactly as you are.

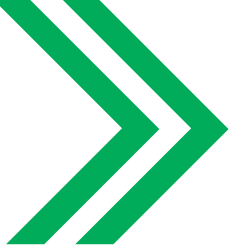
Jamie O'Connor
Chief Executive Officer
Touch Football Australia

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BACKGROUND

Participation in sport is a human right.ⁱ We are all born free and equal in dignity and rights.ⁱⁱ Truly inclusive sport cannot be accomplished by a few; it must be done as a collective. Everyone across the sport sector has a part to play in being inclusive and there are many great examples in sport of things that everyone can do. But there is still a long way to go. Although there have been significant changes in the community's perception and attitude towards people of diverse genders and sexualities, research shows that significant work is still to be done for sports to be completely inclusive.

Recent studiesⁱⁱⁱ around the inclusion of people with diverse genders in Australian sport reported:

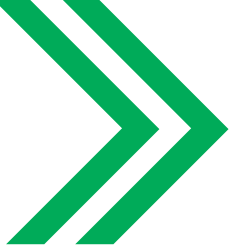
- Sport is considered hostile and unwelcoming to young people with diverse sexualities and genders.
- Change rooms were common sites of harassment and bullying for young people with diverse genders and sexualities and the cause of significant stress.
- Traditional male sports are seen as unwelcome and toxic spaces.

Recent studies^{iv} on the disproportionate health and wellbeing of trans and gender diverse people show:

- 39.9% of trans and gender diverse people aged 18 years and over have been diagnosed with an anxiety disorder in their lifetime compared to an average of 26.3% for the general population.
- 57.2% of transgender and gender diverse people aged 18 years and over have been diagnosed with depression in their lifetime
- 41% of transgender people and people with a non-binary gender aged 18 years and over report thoughts of suicide or self-harm in the last 2 weeks (being the 2 weeks prior to being surveyed).
- 3.2% of people (4.4% females; 2.1% males) aged 16 years and over have attempted suicide in their lifetime; compared to 0.4% of general population (0.5% females; 0.3% males) in the last 12 months
- 35% of transgender people aged 18 and over have attempted suicide in their lifetime, compared to 3.2% of the general population (4.4% females; 2.1% males) aged 16 years and over having attempted suicide in their lifetime.
- Trans women are more likely to have thoughts of suicide than trans men and people with a non-binary gender.
- Trans people are more likely to experience depression

than people with a non-binary gender, but people with a non-binary gender are more likely to experience anxiety than trans people.

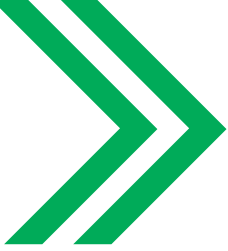
- TFA recognises that both intentional and unintentional phobic behaviours exist within sport in Australia, and that this has adverse and potentially significant consequences for some individuals and for our game. Sometimes these consequences mean that individuals who want to play sport or be a sport volunteer or official, feel excluded and chose not to become involved with, or leave sport. In other instances, players or other participants feel they must hide their true self. In some cases, individuals who experience phobic language or actions stay with sport, but continue to be subjected to discrimination and harassment, thus reducing their enjoyment of sport. None of these outcomes are acceptable. TFA recognises that the inclusion of trans and gender diverse people within sport is a complex and emotive issue.
- TFA as a Member of the Federation of International Touch (FIT) will advocate as an ally for FIT policies to be inclusive of transgender and gender diverse participants. In certain international competitions TFA must comply with the policies and regulations of the international governing body.
- TFA recognise that both intentional and unintentional phobic behaviours exist within sport, recreation, services, programs, operations and facilities, which can create adverse and potentially significant consequences for some individuals and our communities. TFA will take steps to actively promote respectful, inclusive and collaborative behaviours within our sport at all times.



SCOPE

- These Guidelines apply to TFA, New South Wales Touch Association (NSWTA), Queensland Touch Football (QTF) and all Affiliates. These Guidelines also apply to the following individuals and entities:
 - Members of the Touch Football Australia Ltd Board of Management;
 - Persons appointed or elected to boards, committees and sub-committees;
 - Affiliates, affiliated clubs and associated organisations;
 - Employees, contractors and volunteers;
 - Participants, players;
 - Coaches and coaching staff;
 - Referees and Referee Coaches;
 - Selectors and talent identification officials;
 - Members, including life members;
 - Committees, participants, coaches, staff, volunteers, and spectators while playing, training or participating in affiliated club sanctioned activities;
 - Support personnel, including but not limited to managers, physiotherapists, psychologists, masseurs and trainers;
 - Parents, guardians, spectators and sponsors to the full extent that it is possible for TFA to bind those persons and organisations; and
 - Any other person, association or organisation that is a member of or affiliated to TFA.
- It is the duty of each person and organisation to which these Guidelines apply to comply with the Guidelines and, so far as is lawfully possible, to encourage any other Touch Football related entity or participant who or which is not directly bound by these Guidelines but who or which is participating in Touch Football in any capacity in Australia, to comply with the spirit and content of these Guidelines.
- TFA acknowledges that it could be problematic to draw distinction between Affiliate and representative Touch Football competitions as Affiliate competitions are often the first step on the pathway to elite Touch Football. Notwithstanding this, these Guidelines have been developed to apply to all transgender, non-binary and gender diverse participants seeking to compete in Touch Football Affiliate competitions.





OBJECTIVES

- To affirm our commitment to supporting the inclusion of transgender and gender diverse identifying people in TFA.
- 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 with Touch Football.

UNIFORMS

- Individuals may wear the uniform of their choosing as it aligns with their gender identity, so long as it abides by [4.1 and 4.2 of the 8th Edition Touch Football Rules](#).
- Individuals requiring uniforms (for example, participants, officials and coaches) are to be provided with an appropriate range of uniform styles and sizes to select from.

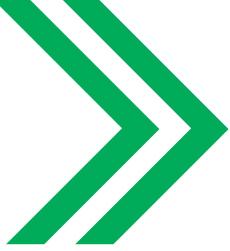


FACILITIES

- TFA recognises the existing difficulties faced in having adequate changeroom and shower facilities for participants that are gender diverse.
- TFA supports the right of people to use changing and bathroom facilities which best reflects their gender identity.
- Within TFA owned and operated facilities, people have the right to use changing and bathroom facilities which best reflects their gender identity.
- Where new facilities are built or upgrades are taking place, TFA and affiliated organisations will advocate for options to create inclusive spaces.

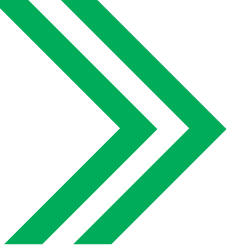
COMPETITIONS

- For all TFA Affiliate competitions, an individual can participate in the competition/category which best reflects their gender identity. This is in accordance with the Sex Discrimination Act 1984 (Cth) (The Act), which explains that it is unlawful to discriminate against a person on the basis of sexual orientation, gender identity and intersex status.
- For mixed-gender competitions, people can participate in a manner which best reflects their gender identity. Rules for mixed-gender competitions will be applied based on gender identity.
- Participant/member registration platforms must be reviewed and developed to become gender inclusive.



PRIVACY AND CONFIDENTIALITY

- TFA recognises the importance of privacy is paramount and the TFA Privacy Policy covers TFA, NSWTA, QTF and each of their affiliates, members, associates, related entities and subsidiaries.
- Collection of personal information will be handled with confidentiality and be conducted in an inclusive manner.
- Personal information should only be collected from participants if absolutely necessary and with the individual's consent or, where the individual is under the age of 18 years, their parent or guardian's consent.
- Any personal information collected by TFA or affiliated entities must only be disclosed if necessary and in accordance with the law.
- TFA and member entities must:
 - Securely store personal information, in line with privacy legislation;
 - Not disclose the Gender Identity of a participant without the express consent of the individual; and
 - Ensure correct names and pronouns are used in conversations, databases, documents and correspondence.
- TFA and affiliated entities should be aware that, depending on the circumstances, requesting additional information from transgender and gender diverse people may be unlawful.
- TFA and affiliated entities must protect the privacy of players. This is particularly important when dealing with any personal or sensitive information that the Affiliate, club or stakeholder may hold regarding a person's gender identity, or transition or affirmation process.
- TFA and affiliated entities should consider the provisions of the Privacy Act 1988 (Cth), the Australian Privacy Principles (APPs), and the relevant legislation and regulations of the States and Territories.
- Further information is available from the Office of the Australian Information Commissioner at www.oaic.gov.au/privacy-law



DISCRIMINATION

- These Guidelines do not provide a definitive legal answer to all of the issues of discrimination, harassment or victimisation involving sex or gender identity that may arise under The Act. Organisations and individuals should seek their own independent legal advice if they have concerns regarding their compliance with the Act or with relevant state or territory anti-discrimination legislation.
- Discrimination on the basis of sex or gender identity can include both direct and indirect discrimination and may be unlawful under Commonwealth and State legislation.
- 'Direct discrimination' occurs when a person is treated less favourably than another person on the ground of:
 - sex or gender identity; or
 - a characteristic generally associated with a person of that sex or gender identity in circumstances that are the same or not materially different.
- An example of direct discrimination would be a sporting organisation refusing a trans woman's application for membership because she is transgender.
- 'Indirect discrimination' can be less obvious. Indirect discrimination occurs when a condition, requirement or practice that applies to everyone disadvantages persons of a particular sex or gender identity, and the condition, requirement or practice is not reasonable in the circumstances.
- Further guidance on Federal and State and Territory laws and exemptions is available through the Australian Human Rights Commission and any State or Territory Human Rights Authority.



RELATED LEGISLATION

- **Federal/Commonwealth Legislation:** The following laws operate at a federal level and the Australian Human Rights Commission has statutory responsibilities under them.
 - *Sex Discrimination Act 1984 (Cth)*
 - *Privacy Act 1988 (Cth)*
- **State/Territory Legislation:** The following laws operate at a State and Territory level, with State and Territory equal opportunity and anti-discrimination agencies having statutory responsibilities under them.
 - Australian Capital Territory – *Discrimination Act 1991*
 - New South Wales – *Anti-Discrimination Act 1977*
 - Northern Territory – *Anti-Discrimination Act 1996*
 - Queensland – *Anti-Discrimination Act 1991*
 - South Australia – *Equal Opportunity Act 1984*
 - Tasmania – *Anti-Discrimination Act 1998*
 - Victoria – *Equal Opportunity Act 2010*
 - Western Australia – *Equal Opportunity Act 1984*.

GRIEVANCE PROCEDURES

- Any complaint or breach of these Guidelines will, where it also involves a breach of the TFA National Integrity Framework including associated integrity policies, be dealt with under that Framework unless referred back to TFA by Sport Integrity Australia.
- Any complaint or breach of these Guidelines that does not also involve a breach of the TFA National Integrity Framework will be dealt with under the [TFA Disciplinary Regulations Manual](#).
- The Australian Human Rights Commission or State or Territory Human Rights Commission may also assist individuals in relation to any complaints of discrimination, harassment and/or victimisation under Federal or State and Territory laws.



SUPPORT SERVICES

ADDITIONAL RESOURCES AND SUPPORT

TFA's internal support/point of contact is:

Luke Heckendorf
Pronouns: he / him / his
National Inclusion Manager
Touch Football Australia
Rugby League Central, 44 Driver Ave,
Moore Park NSW 2021
E: luke.heckendorf@touchfootball.com.au
T: 02 9359 8500

Please note that all internal enquiries will be treated with confidentiality.

For external support, TFA recommends using the following LGBTQ specific providers:

ACON provides counselling as well as social work support to help people resolve complex or ongoing violence and harassment matters.

Freecall: 1800 063 060

Web: www.acon.org.au/mental-health/#lgbti-counselling

Lifeline provides 24-hour crisis support and suicide prevention services to all Australians experiencing a personal crisis.

Phone: 13 11 14

Web: www.lifeline.org.au/gethelp

QLife provides anonymous and free LGBTI peer support and referral for people wanting to talk about sexuality, identity, gender, bodies, feelings or relationships.

Freecall: 1800 184 527

Web: www.qlife.org.au/get-help

Australian Human Rights Commission

www.humanrights.gov.au

The Australian Human Rights Commission is an independent statutory organisation, established by an act of Federal Parliament. We protect and promote human rights in Australia and internationally.

Pride in Sport Australia

www.prideinsport.com.au

Pride in Sport is the only sporting inclusion program specifically designed to assist sporting organisations at all levels with the inclusion of LGBTQ employees, athletes, coaches, volunteers and spectators.

QLife

www.qlife.org.au

QLife provides anonymous and free LGBTQ peer support and referral for people in Australia wanting to talk about sexuality, identity, gender, bodies, feelings or relationships.

Transcend

<https://transcendaus.org/>

Transcend was the first parent lead peer support network and information hub for transgender children and their families in Australia. They provide patient/carer support, community connection, information, advocacy and fundraising.

TransHub

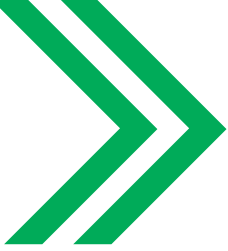
www.transhub.org.au

This platform is an initiative from ACON Health, Australia's largest LGBTQ health organisation specialising in community health, inclusion and HIV responses for people of diverse sexualities and genders.

Trans Pride Australia

www.transprideaustralia.org.au

Trans Pride Australia Inc is a social and support group for trans and gender diverse people and their loved ones in Australia.



DEFINITIONS

TFA acknowledges that language constantly changes, and while we have done our best to define key terms within these Guidelines, we encourage members to stay informed with other language and terminology relative to this space via Pride in Sport - www.prideinsport.com.au/terminology

Bodies, gender and gender identities:

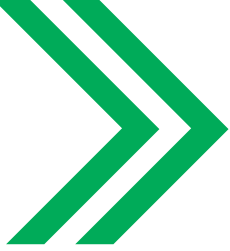
- a. **Gender identity** is defined in The Act as 'the gender-related identity, appearance or mannerisms or other gender-related characteristics of a person (whether by way of medical intervention or not), with or without regard to the person's designated sex at birth'. For example, a person's birth certificate may include a marker which indicates that the person's designated sex is female when that person identifies as a man (in other words, their gender identity is that of a man).
- b. **Brotherboy** is a term used by Aboriginal and Torres Strait Islander people to describe gender diverse people who have a male spirit and take on male roles within the community. Brotherboys have a strong sense of their cultural identity.
- c. **Gender dysphoria** is the discomfort a person feels with how their body is perceived and allocated a gender by other people. The experience may occur when a person feels their biological or physical sex doesn't match their sense of their own gender. This feeling, that there is a mismatch, can trigger a range of responses. Some people experience serious distress, anxiety and emotional pain, which can affect their mental health. Others experience only low-level distress – or none at all. For this reason, gender dysphoria is no longer considered a mental illness. (Not to be confused with 'Body Dysmorphia').
- d. **Gender diverse** is an umbrella term that includes all the different ways gender can be experienced and perceived. It can include people questioning their gender, those who identify as trans/transgender, genderqueer, non-binary, gender non-conforming and many more.
- e. **Cisgender/cis** is a term used to describe people who identify their gender as the same as what was assigned to them at birth (male or female). 'Cis' is a Latin term meaning 'on the same side as'.
- f. **Deadname** is a term used by some trans people to describe the name they were given and known by prior to affirming their gender and/or coming out.
- g. **Intersex (Intersex status)** is a protected attribute under the Act. Under the Act 'intersex status' means the status of having physical, hormonal or genetic features that are:
 - i. neither wholly female nor wholly male;
 - ii. a combination of female and male; or
 - iii. neither female nor male.

The term 'intersex' does not describe a person's gender identity (man, woman, neither or both). A person with an intersex variation may identify as a man, woman, neither or both.
- h. **LGBTQI** (or variations of it) is an acronym for lesbian, gay, bisexual, transgender, queer/questioning and intersex. It is used to refer collectively to these communities. The 'LGB' refers to sexuality/sexual identity; the 'T' refers to gender identity; and the 'I' refers to people who have an intersex variation. 'Q' can refer to either gender identity or sexuality.
- i. **Non-binary** is a term used to describe a person who does not identify exclusively as either a man or a woman. Genders that sit outside of the female and male binary are often called non-binary. A person might identify solely as non-binary, or relate to non-binary as an umbrella term and consider themselves genderfluid, genderqueer, trans masculine, trans feminine, agender, bigender, or something else.
- j. **Pronouns** are a grammatical means of referring to a person or persons. Conventional pronouns are 'she/her/hers' and 'he/him/his'. Some people prefer to use gender neutral pronouns, such as 'they/them/their'. The pronoun a person uses to describe themselves generally reflects their gender identity.
- k. **Sex** refers to a person's biological sex or sex characteristics. These may be genetic, hormonal, or anatomical. Unlike 'gender identity', 'sex' is not defined in the Act.

- l. Sistergirl** is a term used by Aboriginal and Torres Strait Islander people to describe gender diverse people that have a female spirit and take on female roles within the community. Including looking after children and family. Many Sistergirls live a traditional lifestyle and have a strong sense of their cultural identity.
- m. Transgender** (commonly abbreviated to 'trans') is a general term used to describe a person whose gender identity is different to the sex they were assigned at birth. Being transgender is about how an individual describes their own gender. It is not necessarily about their biological characteristics. Trans people may position 'being trans' as a history or experience, rather than an identity, and consider their gender identity as simply being female, male or a non-binary identity. Some trans people connect strongly with their trans experience, whereas others do not. Processes of gender affirmation may or may not be part of a trans or gender diverse person's life.
- n. Transition/Gender Affirmation** means the personal process or processes a trans or gender diverse person determines is right for them in order to live as their defined gender and so that society recognises this. Transition may involve social, medical/surgical and/or legal steps that affirm a person's gender. Affirming gender doesn't mean changing gender, 'having a sex change' or 'becoming a man or a woman', and transition isn't the same as being trans. A trans or gender diverse person who hasn't medically or legally affirmed their gender is no less the man, woman or non-binary person they've always been.
 - i. Social transition** is the process by which a person changes their gender expression to better match their gender identity. This may include changing their name, pronouns, and appearance.
 - ii. Medical transition** is the process by which a person changes their physical sex characteristics to align with their gender identity. This may include hormone therapy, surgery or both.
 - iii. Legal transition** is the process by which a person changes their identity documents, name, or both, to reflect their gender identity. This may include changing their gender marker on a passport or birth certificate or changing their name on a driver's licence or bank card.
- b. Biphobia** is abuse towards someone who is attracted to more than one gender, and even includes when that person's identity is erased. This can be in the form of telling someone that their sexuality is "just a phase", or even telling them to "pick a side."
- c. Cissexism** is where something is based on a discriminatory social or structural view that positions (either intentionally or otherwise) the trans experience as either not existing or as something to be pathologised. Cissexism believes that gender identity is determined at birth and is a fixed and innate identity that is based on sex characteristics (or 'biology') and that only binary (male or female) identities are valid and real.
- d. Heteronormativity** (also known as cisnormativity) is the view that heterosexual relationships are the only natural, normal and legitimate expressions of sexuality and relationships, and that other sexualities or gender identities are unnatural and a threat to society (GLHV, 2016).
- e. Homophobia** refers to negative beliefs, prejudices and stereotypes that exist about people who are not heterosexual. Verbal homophobia is the most common form. Things like name-calling, rumours and abusive words ('fag' or 'dyke'). Phrases like "that's so gay" which compare sexuality to words like 'crap' can have a negative impact. Homophobia also include abusive threats or actual physical violence, sexual harassment and deliberately excluding someone because of their sexuality.
- f. Misgendering** is an occurrence where a person is described or addressed using language that does not match their gender identity. This can include the incorrect use of pronouns (she/he/they), familial titles (father, sister, uncle) and, at times, other words that traditionally have gendered applications (pretty, handsome, etc.). It is best to ask a person, at a relevant moment, what words they like to use.
- g. Transphobia** refers to negative beliefs, prejudices and stereotypes that exist about transgender/trans and gender diverse people. You may have heard transphobic language like 'tr*nny', or seen restrictions on the way that people are allowed to express their gender. Things like which uniform you're allowed to wear or toilets you can use. Transphobia can also include abusive threats or actual physical violence, sexual harassment and deliberately excluding someone because of their gender.

Societal attitudes/issues

- a.** An **ally**, straight ally, or heterosexual ally is typically a heterosexual and cisgender person who supports equal civil rights, gender equality, LGBTQ+ social movements, and challenges homophobia, biphobia, and transphobia. Not everyone who meets this definition identifies as an "ally". An ally acknowledges that LGBTQ+ people face discrimination and thus are socially disadvantaged. They aim to use their position as heterosexual and cisgender individuals in a society focused on heteronormativity to counter discrimination against LGBTQ+ people. An ally can also be someone who identifies within the LGBTQ+ community and supports an aspect of that community in which they don't identify with (e.g. a Cisgendered gay man may identify as an ally to transgender individuals).



ACKNOWLEDGEMENTS

1. The 'Participation Guidelines for the Inclusion of Transgender and Gender Diverse People in Touch Football Affiliates' have been prepared in consultation with a number of stakeholders.
2. Pride in Sport, ACON Health, TransHub, members of the LGBTQ community, medical experts, athletes and administrators across Australia have participated in consultations which informed the development of this work. We thank and acknowledge those who participated in this process.
3. We also acknowledge the 'Guidelines for the inclusion of Transgender and gender diverse people in sport' developed by the Australian Human Rights Commission, in partnership with Sport Australia and the Coalition of Major Professional and Participation Sports. Many of the concepts and terms used throughout these Guidelines have been adopted from this work.

For further information, please contact

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ⁱ United Nations Educational, Scientific and Cultural Organization, International Charter of Physical Education, Physical Activity and Sport (21 November 1978) art 1; Universal Declaration of Human Rights, GA Res 217A (III), UN GAOR, 3rd sess, 183rd plen mtg, UN Doc A/810 (10 December 1948) art 24; International Olympic Committee, Olympic Charter (entered into force 9 October 2018) 11.

ⁱⁱ Universal Declaration of Human Rights, GA Res 217A (III), UN GAOR, 3rd sess, 183rd plen mtg, UN Doc A/810 (10 December 1948) art 1.

ⁱⁱⁱ Storr. R., Robinson. K., Davies. C., Nicholas. L., Collison. A. (2020). Game to Play?: Exploring the experiences and attitudes towards sport, exercise and physical activity amongst same sex attracted and gender diverse young people. Western Sydney University.

^{iv} National LGBTI Health Alliance (2020). Snapshot of the Mental Health and suicide prevention statistics for LGBTI people. Pymont NSW Australia.

^v Bingham Cup Sydney, (2014). Anti-Homophobia & Inclusion Framework for Australian Sport.

^{vi} Pride in Sport (2020), Terminology. ACON Health Ltd.

