

# British Wheelchair Basketball

## TRANSSEXUAL COMPETITORS – Positional and Policy Paper

With thanks to Volleyball England for their assistance and development of this document.

## BACKGROUND

After consideration of the Board of British Wheelchair Basketball agreed to allow gender reassigned persons to play at all domestic levels of wheelchair basketball.

The Board recognises that there has been legislation and advice provided in view of fair treatment of gender reassigned participants in the United Kingdom.

The Board recognises that the jurisdiction of British Wheelchair Basketball is limited to the United Kingdom.

## POSITION STATEMENT

British Wheelchair Basketball is responsible for regulating within its jurisdiction the participation of persons as competitors in leagues and events of the sport of wheelchair basketball.

There are gender-affected sports as defined by legislation, in that the physical strength, stamina or physique of average person of one gender would put them at a disadvantage to average persons of the other gender as competitors in an event of one of the above-mentioned sports.

Accordingly, it is recommended that British Wheelchair Basketball adopt this policy for two reasons: firstly, in order to ensure equal and fair competition; and secondly, to ensure the safety at all times of all competitors.

## DEFINITIONS

For the purpose of this policy:

“Transsexual persons” refers to persons who have decided to live permanently in the opposite gender to the one in which they were registered at birth, and who are now recognised legally in that acquired gender.

“Competitor” denotes an entrant to competitions promoted by or on behalf of British Wheelchair Basketball or a person playing wheelchair basketball in a competitive event.

## POLICY

1. All enquiries regarding the participation by a transsexual competitor shall be passed for determination to the organisation’s Equality Panel (“the Panel”).
2. The Panel shall comprise of three representatives appointed by the Board. The Panel’s appointees shall not necessarily be members of the aforementioned Board but shall always include amongst its numbers one medical and one legal representative, both of whom shall possess appropriate expertise.
3. The transsexual person shall be asked to permit his or her GP and/or medical consultant and the Gender Recognition Panel to disclose sufficient information to the Panel (including such other information, records or other material as the organisation may require from time to time).

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4. All reasonable steps shall be taken by the organisation to enable the transgender person to submit appropriate evidence to the Panel. This shall include the organisation remaining open to further evidence being submitted at a later date.

5. The panel shall have regard of the following:

a. Reassignment before puberty

Any male to female transgender person who underwent sex reassignment surgery before puberty shall be regarded by the organisation as female;

Or

Any female to male transgender person who underwent sex reassignment surgery before puberty shall be regarded by the organisation as male.

b. Reassignment after surgery

Persons undergoing gender reassignment after puberty may be eligible for participation in his or her acquired gender. Such eligibility shall be decided on a case-by-case basis, with due regard to the following criteria:

- A surgical anatomical change, including external genitalia changes and gonectomy, has been completed not less than two years previous to the application.
- Legal recognition of the acquired gender has been conferred by the statutory Gender Recognition Panel or such other relevant authority empowered under legislation; and
- Hormonal therapy appropriate to the acquired gender has been administered in a verifiable manner and for a sufficient length of time to minimise gender-related advantages in competitions of the relevant sports.

6. All evidence shall be properly and fairly considered by the Panel.

7. All aspects of the matter (including but not limited to communication, correspondence and evidence) shall at all times be handled sensitively by the organisation with due respect to the requirement of confidentiality and the right to privacy.

8. A transsexual person shall not be entitled to compete in his or her acquired gender until such time as he or she has provided evidence that the applicable criteria set out above has been met to the reasonable satisfaction of the Panel.

## INITIAL ENQUIRIES

All enquiries regarding transsexual competitors should at the first instance be made to the Chief Executive.

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