

## GENDER IDENTITY DISPENSATION PROCEDURE

### BACKGROUND

Rugby Australia recognises that encouraging people to participate in sporting events and activities is beneficial for their health, wellbeing and involvement in community life. Rugby Australia is committed to supporting a player's participation in the gender with which they identify, provided that it is safe for them and all other participants.

In order to ensure safe participation in a gender competition that differs from the gender identified on a player's birth certificate, this '*Gender Identity Dispensation Procedure*' must be followed.

Gender identity refers to a person's internal sense of self, and how they identify, understand and perceive their gender. A person's gender identity may be the same as or different to their sex. The term 'sex' refers to biological sex or sex characteristics. This procedure is consistent with Article 1.2.1 of World Rugby's Transgender Policy.

World Rugby's Transgender Policy states that "At the level of elite professional rugby, it is recommended that the principles in this Policy be followed. At the lower levels, however, less stringent eligibility requirements may be imposed, where appropriate and bearing in mind safety and player welfare considerations."

### WHO NEEDS GENDER IDENTITY DISPENSATION AND IN WHICH COMPETITION MAY A PLAYER PLAY IN IF THEY RECEIVE DISPENSATION?

This procedure defines the step-by-step process and set outs the documentation required to enable players, who identify as a gender that is different to that listed on their birth certificate, to participate within their identified gender. It is applicable to all players who are not bound by the World Rugby Transgender Policy, (i.e. players other than those in the Wallabies, Wallaroos, Super Rugby or Australian Sevens squads) or those participating in the non-contact form of Rugby, VIVA7s.

### RESPONSIBILITIES

It is the responsibility of all Coaches, Club Officials, Unions/Affiliates and Parents/Guardians to follow this procedure to ensure that all players, regardless of their gender identity, are always treated fairly and with dignity and respect. Rugby Australia seeks to ensure that all player's feel included, and their rugby environment is free from any discrimination or harassment based on their gender identity.

However, the Rugby Australia Safety Policy must be at the forefront of any participation decisions as rugby must be a sport that is safe for all players.

Once dispensation is granted for players participating in an age-grade competition it is valid for the relevant playing season. Thereafter, it will need to be sought at the beginning of each season.

Once dispensation is granted for players participating in a senior rugby competition it is valid for up to 2 years. A consent form is all that is required ahead of the second year. Thereafter, dispensation will be required every two years.

## STEP-BY-STEP PROCEDURE

| STEP | DESCRIPTION OF ACTION   | RESPONSIBLE                            | NOTES   |
|------|---|--|---|
| 1    | <b>Player wishes to participant in a gender competition different to that listed on their birth certificate.</b>  | Player or Parent / Guardian            | A player (or Parent / Guardian of a player) expresses, to an Accredited Coach / Club or School Official, a desire to participate in a gender competition that is different to the sex listed on their birth certificate.  |
| 2    | <b>Player or Parent/Guardian receives the Gender Identity Dispensation Consent Form.</b>  | Club / School                          | The Club / School provides the player or Parent / Guardian with the Gender Identity Dispensation Consent Form.  |
| 3    | <b>Player or Parent/Guardian completes the Consent Form.</b>  | Player or Parent / Guardian            | The Gender Identity Dispensation Consent Form is completed, and the required documents are attached, including the signed gender identity declaration.  |
| 4    | <p><b>Medical Specialist completes the Gender Identity Dispensation Consent Form.</b></p> <p><b>A Medical Specialist for the purpose of this dispensation is defined as a specialist doctor who has relevant experience and has assisted the player with their gender identity.</b></p> | Medical Specialist known to the player | <p>The Gender Identity Dispensation Consent Form is completed by a Medical Specialist with an understanding of the demands of contact sport, specifying that the player’s physical development, skill level and experience are appropriate, and that the player can compete safely and on an equal basis with players in the competition.</p> <p>The safety and wellbeing of other players in the competition also needs to be considered.</p> <p>(Please note that many hormone treatments may result in a breach of the Rugby AU Anti-Doping Code and as such a Therapeutic Use Exemption will be required. Please see below for further information*.)</p> |

| STEP | DESCRIPTION OF ACTION  | RESPONSIBLE                           | NOTES  |
|------|--|---------------------------------------|--|
| 5    | <b>An Independent Qualified Assessing Coach is assigned by the Club/School</b>     | Club / School                         | <p>A Qualified Assessing Coach is assigned by the Club/School to assess the physical development, ability and / or experience of the player with reference to the proposed playing competition.</p> <p>An Qualified Assessing Coach must hold a minimum Level 2 Accreditation, current Smart Rugby and have completed the Assessing Coach Module in the Rugby Learning Centre.</p>   |
| 6    | <b>The player is assessed by a Qualified Assessing Coach</b>                       | Independent Qualified Assessing Coach | This is undertaken with prescribed field-based tests and Rugby match assessment.   |
| 7    | <b>Assessing Coach Report is completed</b>   | Independent Qualified Assessing Coach | <p>Assessing Coach Report is completed and returned to the Club / School with a recommendation of the appropriate competition for the participant.</p> <p><b>Please Note:</b> Players seeking Gender Identity Dispensation wishing to play in the <u>Front Row</u> (prop or hooker) in a Senior / Junior competition for Males, must also apply for approval from Rugby AU as outlined in <i>Schedule B* - Exception for Front Row</i>.</p> <p>(*Not required for Sevens Rugby).</p> |
| 8    | <b>Assessing Coach Report and Consent Form provided to the Competition Manager</b> | Club / School                         | Assessing Coach Report (and Schedule B approval, if required) along with the Gender Identity Dispensation Consent Form are forwarded to the Competition Manager.   |

| STEP | DESCRIPTION OF ACTION   | RESPONSIBLE         | NOTES  |
|------|---|---------------------|--|
| 9    | <b>Assessment reviewed, and decision made on Gender Identity Dispensation</b>                     | Competition Manager | <p>The Competition Manager will review the assessment and determine whether to:</p> <ul style="list-style-type: none"> <li>• accept or reject the application for dispensation; <b>OR</b></li> <li>• request an independent assessment in line with the Safety Policy; <b>OR</b></li> <li>• make a recommendation to the player (or their parent/guardian) as to the appropriate age-grade or competition for that player based on the initial assessment or any subsequent independent assessment; <b>OR</b></li> <li>• refer the player seeking dispensation to a medical practitioner retained or identified by the union prior to accepting or rejecting the application.</li> </ul> |
| 10   | <b>Competition Manager contacts the Club/School regarding environmental and off-field factors</b> | Competition Manager | <p>The Competition Manager will contact the Club / School and ensure that all appropriate environmental and off-field factors<sup>#</sup> have been considered with respect to the safety and wellbeing of the player and other participants in the competition.</p>   |
| 11   | <b>Changes made in the Competition Management System</b>  | Competition Manager | <p>Relevant changes are made in the Competition Management System (Rugby Xplorer) to enable participation in the approved competition.</p> <p>The Club / School is notified along with the player and/or their Parent / Guardian.</p>  |
| 12   | <b>Clubs/Schools in the competition are notified on the dispensation provided</b>                 | Competition Manager | <p>Other Clubs / Schools with teams in the proposed competition will be notified that dispensation has been provided in this instance.</p>   |

# including but not limited to gender neutral changeroom, shower and toilet facilities and the safety of the club/team and competition.



## OTHER INFORMATION

Any grievance by players (or their parents/guardians) regarding decisions made by the competition manager pursuant to this Policy must be dealt with pursuant to the grievance procedure of the relevant Union with jurisdiction for the competition.

Rugby AU has the discretion to review a decision or conduct any investigation as deemed necessary and appropriate.

Rugby competitions are generally male or female. Players with non-binary gender identity may wish to play a mixed version of the game, for example Touch 7s or under Veterans Laws.

The physical development, ability and experience Rugby assessment is analogous to the criteria of strength, stamina and physique of the athlete as is referenced in the [Sex Discrimination Act](#).

An Independent Qualified Assessing Coach must hold a minimum Level 2 Coach Accreditation, current Smart Rugby qualification and have completed the Assessing Coach Module within the Rugby Learning Centre.

The following definition of an Independent Coach outlines the minimum criteria that must be met to conduct an official player assessment. Member Unions and Competition Managers are permitted to add criteria that is appropriate for their jurisdiction.

A Qualified Assessing Coach is defined as being Independent if they are not registered to the same Club or School as the player being assessed.

### OR

In the event a Qualified Assessing Coach is registered with the same Club or School as the player being assessed they must meet the following criteria to be defined as Independent.

- Do not coach the specific age-grade of the player being assessed.
- Do not coach the specific age-grade that the player participated in the previous season, if applicable.
- Do not coach the specific age-grade that the player wishes to participate in, if applicable.

## RELATED DOCUMENTS

- [Rugby Australia Code of Conduct](#)
- [Gender Identity Dispensation Consent Form](#)
- [Assessing Coach Report](#)
- [Schedule B – Exemption for Front Row](#)
- [Rugby Australia Safety Policy](#)
- [Rugby Australia Participation Policy](#)

*\*Many hormone treatments may lead to a breach of the Rugby AU Anti-Doping Code. In the event of an Adverse Finding resulting from an Anti-Doping Test the player will be required to apply for a Therapeutic Use Exemption for the treatments they are using. It is recommended that the [World Anti-Doping Authority's \(WADA\) Transgender Player TUE Physician Guidelines](#) are provided to the player's doctor.*

*Please note that players seeking dispensation to play in the National Rugby Championship or the Super W competition require a Therapeutic Use Exemption prior to playing.*

*For further information, please refer to the SIA website: [www.sportintegrity.gov.au](http://www.sportintegrity.gov.au).*