



Gender Recognition Policy

INTRODUCTION

1. The Gender Recognition Act 2004 (the “Act”) allows transsexual people who have taken decisive steps to live fully and permanently in their acquired gender to gain legal recognition in that gender. The Act ensures that transsexual people can now take up their fundamental rights including the right to respect for private and family life and be allowed to live free from discrimination.
2. In practical terms, legal recognition will have the effect that, for example, a male-to-female transsexual person will be legally recognised as a woman in English law. On the issue of a full Gender Recognition Certificate, the person will be entitled to a new birth certificate reflecting the acquired gender and will be able to marry someone of the opposite gender to his or her acquired gender.
3. The Act makes specific provision for sports organisations to prohibit or restrict a person whose gender has become the acquired gender under the Act from participating as competitors in an event or events involving a gender-affected sport. A sport is a gender-affected sport if the physical strength, stamina or physique of average persons of one gender would put them at a disadvantage to average persons of the other gender as competitors in events involving the sport.
4. Such prohibition or restrictions can only be made in order to secure fair competition or the safety of competitors at the event or events.
5. The International Olympic Committee has established a policy for the participation of transsexual people in sports competitions (the “IOC Policy”). As the National Federation for the sport of Triathlon in Great Britain, the British Triathlon Federation has adopted the IOC Policy in respect of participation in triathlon events at an elite or international level.
6. The British Triathlon Federation’s Gender Recognition Policy has been developed in accordance with the Gender Recognition Act 2004, the Sex Discrimination Act 1975 and the IOC Policy. It recognises the right of an individual who has undergone gender reassignment to participate in sport in their acquired gender whilst ensuring that such participation does not unfairly affect competition and does not affect the safety of fellow competitors.

GENDER RECOGNITION POLICY

A. Definitions

1. In this policy, the following expressions shall have the following meanings:
 - (a) “Elite Athlete” means an individual competing in an elite category race held in Great Britain or overseas;
 - (b) “Age Group Representative Athlete” means an individual competing in an age group category race where that individual has been selected to represent Great Britain;
 - (c) “Domestic Competition” means any event registered with the British Triathlon Federation but excluding all elite category races and those races held in Great Britain restricted to Age Group Representative Athletes;
 - (d) “Panel” means the Gender Recognition Panel established pursuant to the Gender Recognition Act 2004, described more fully in the notes to this policy.

B. Gender reassignment before puberty

2. An individual who has undergone gender reassignment of male-to-female before puberty is regarded as female. An individual who has undergone gender reassignment of female-to-male before puberty is regarded as male. Each is eligible to take part in any competition under their acquired gender, including (for the avoidance of doubt) whether participating as an Elite Athlete, Age Group Representative Athlete or in any Domestic Competition.
3. The individual may be asked to provide confirmation that they have undergone gender reassignment before puberty, including medical records or other relevant evidence.
4. In the event of uncertainty or dispute as to the date of gender reassignment, the matter shall be considered and decided by a Medical Officer appointed by the British Triathlon Federation.
5. An individual whose participation is refused pursuant to clause 4 shall have the right to appeal that decision to an independent appeals panel established by the Sports Dispute Resolution Panel or similar body.

C. Gender reassignment after puberty

Domestic Competition

6. An individual who has undergone gender reassignment from male-to-female after puberty (and vice versa) may participate in Domestic Competition under their acquired gender provided they have a Gender Recognition Certificate issued by the Panel.
7. As the Panel was only established in early 2005, the possibility exists that there will not be reasonable time for some transsexual people wishing to take part in

competition(s) registered with the British Triathlon Federation to have completed the application process and received a Gender Recognition Certificate.

8. Therefore, for events held in 2005 only, the British Triathlon Federation recommends that such individuals be permitted to compete in Domestic Competition in their acquired gender if they have lodged a completed application with the Panel (which application has not been finally processed by the Panel). For the avoidance of doubt, the individual will not be permitted to compete in Domestic Competition (in 2005 or otherwise) where their application for a Gender Recognition Certificate has been refused by the Panel.

9. The British Triathlon Federation also recommends that, where an individual or individuals contact an event organiser wishing to compete in Domestic Competition under their acquired gender(s), the event organiser should work with the individual or individuals to accommodate their participation, whilst respecting their privacy at all times pursuant to clause 14. Elite Athletes and Age Group Representative Athletes

10. An individual who has undergone gender reassignment from male-to-female after puberty (and vice versa) may only participate as an Elite Athlete or as an Age Group Representative Athlete under their acquired gender where they meet the following conditions:

(a) surgical anatomical changes have been completed, including external genitalia changes and gonadectomy;

(b) legal recognition of their acquired gender has been conferred by the Gender Recognition Panel; and

(c) hormonal therapy appropriate for the acquired gender has been administered in a verifiable manner and for a sufficient length of time to minimise gender-related advantages in sport competitions.

11. For the purposes of clause 10(a) of this policy, an individual's gonadectomy must have occurred at least two years before the date of the competition.

12. An individual wishing to participate as an Elite Athlete or as an Age Group Representative Athlete under their acquired gender will have their application considered by a Medical Officer appointed by the British Triathlon Federation. For the avoidance of doubt, the Medical Officer will assess the application to ensure that the individual meets the conditions set out in clause 10.

13. An individual whose application pursuant to clause 12 is refused will have the right to appeal that decision to an independent appeals panel established by the Sports Disputes Resolution Panel or similar body.

D. Privacy

14. The British Triathlon Federation (and its officers and staff) and any organisers of event(s) sanctioned by the British Triathlon Federation shall not disclose any information obtained from an individual in accordance with this policy unless:

(a) the disclosure of that information does not enable the individual competitor to be identified;

(b) the individual competitor to whom the information relates has agreed to its disclosure; or

(c) it is under a legal duty to disclose the information.

ENDS

Adopted 10 April 2005

Notes

1. The Gender Recognition Panel assesses applications from transsexual people for legal recognition of the gender in which they now live. The Panel was set up under the Gender Recognition Act 2004 and ensures that transsexual people can enjoy the rights and responsibilities appropriate to their acquired gender.

2. If a person is successful in their application to the Panel they will be issued with a full Gender Recognition Certificate and that person's gender will become for all purposes their acquired gender.

3. The official website of the Panel is www.grp.gov.uk. This website provides information about the Panel, together with information for applicants, medical practitioners and chartered psychologists and other parties who may be interested in the gender recognition process. It contains the application forms and guidance that will be required for the application.