FOOTBALL VICTORIA

GUIDELINES FOR THE INCLUSION OF TRANSGENDER AND GENDER DIVERSE PEOPLE IN COMMUNITY FOOTBALL

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INTRODUCTION

Football Victoria recognises and respects the transgender and gender diverse community and believes that everyone has the right to participate in football in a safe, respectful, and welcoming environment that is free from harm. Our commitment is to unite, inspire, and enable all Victorians regardless of gender, sexuality, ability, ethnicity, age, or culture the opportunity to participate, develop and belong.

These guidelines have been developed to ensure our football community has enough information to enable and welcome the inclusion of transgender and gender diverse people. Under the eyes of the law, everyone has a human right to be included without fear of retribution, discrimination, harassment, or harm in any form.

We understand the power of the world game and its ability to reach across all communities as an enabler to better health outcomes. As the world is becoming more openly diverse, the time is now to embrace inclusive practice and openly and without hesitation welcome more people into our fold no matter their sex nor gender identity.

SCOPE

These guidelines apply to the following:

- Football Victoria board members and company directors
- All Football Victoria Staff in full time, part time or casual capacities
- All non-employed Football Victoria members associated with community and social football
- Affiliated clubs and associations including their committees and boards
- Referees and referee coaches
- Technical Directors and coaches
- Parents, guardians and spectators
- Any other person, association or organization that is a member of or affiliated to Football Victoria
- How Football Victoria provides services to community and social football members and how it interacts with other members of the public
- Aspects or participation in community and social football including team selection and participation, club membership and service delivery
- On-site, off-site, or after-hours work; work-related social functions; conferences – wherever and whenever staff may be as part of their Football Victoria duties.

- Staff treatment of other staff, of clients, customers and other members of the public encountered during their Football Victoria duties.
- Volunteers, who are protected from sexual harassment under the Equal Opportunity Act 2010.

COMPETITIONS

- All Football Victoria competitions including NPL and State Leagues.

OBJECTIVES

- To affirm Football Victoria's commitment to the inclusion of trans and gender diverse people in football
- To ensure we foster a safe and welcoming environment for gender diverse people by eliminating discriminatory behavior within football facilities, programs, competitions, and services
- To promote a safe, inclusive and welcoming environment that engages and keeps participants with diverse genders and sexualities involved with football.

COMMUNITY AND SOCIAL FOOTBALL COMPETITIONS

Players are allowed to participate in any Football Victoria community or social football event in accordance with their gender identity. This is irrespective of the player's legal sex classification. Football Victoria recognises that gender affirmation can be diverse, and that each person's gender affirmation is different and as such, medical or surgical intervention is not required.

Non-binary players can elect which team they consider more appropriate to join, in the case of mixed teams not being available.

Participant/Member registration platforms must be reviewed and developed to become gender inclusive i.e. to recognise a wider range of gender markers/identities.

Football Victoria has a Dispensation Policy relating to the inclusion of trans and gender diverse athletes, as well as athletes with intersex variations which reinforces Football Victoria's commitment to diversity and inclusion within football including a strict no-tolerance approach to transphobia.

UNIFORMS

Individuals may wear the uniform of their choosing as it aligns with their gender identity, so long as it abides by **Football Victoria Uniform guidelines**. Individuals requiring uniforms (for example, participants, officials and coaches and staff) are to be provided with an appropriate range of uniform styles and sizes to select from.

FACILITIES

Football Victoria recognises the existing difficulties faced by clubs in having adequate change room and shower facilities. While many transgender people prefer to use bathrooms, showers and change rooms that align with their affirmed gender and where this is the case Football Victoria supports the right of people to do this, there is also a strong preference for privacy. People who identify as non-binary or gender diverse may prefer to use gender-neutral or single stall facilities. Change room and shower arrangements should be considered to ensure they are suitable for all participants. Football Clubs may consider making their existing facilities more inclusive by:

- changing signage on some facilities to all gender
- modifying changerooms and bathrooms to create private spaces
- ensuring all changerooms have appropriate waste disposal.

Where new facilities are built or upgrades take place (whether in consultation with local government, schools, community football or others), all venues utilised by football may consider options to create inclusive spaces by:

- creating private spaces so that people can use the facilities safely and comfortably
- providing gender neutral spaces where possible.

PRIVACY AND CONFIDENTIALITY

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 Football Victoria or affiliates must only be disclosed if necessary and in accordance with the law.

Football Victoria and affiliates 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 or their parent/guardian;
- Ensure correct names and pronouns are used in conversations, databases, documents and correspondence.

Football Victoria and affiliated entities should be aware that, depending on the circumstances, requesting additional information from transgender and gender diverse people may be unlawful. Football Victoria 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.

DISCRIMINATION

These Guidelines do not provide a definitive legal answer to all the issues of discrimination, harassment or victimisation involving sex or gender identity that may arise under The Sex Discrimination Act 1984 (The Act). Football Victoria, Affiliates, clubs 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 POLICIES AND LEGISLATION

Football Victoria – Dispensation Policy.

Football Victoria – Member Protection Framework

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*
- Privacy Act 1988

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.

- Victoria – *Equal Opportunity Act 2010*

GRIEVANCE PROCEDURES

Any complaint or breach of this policy shall be dealt with in accordance with the Football Victoria Grievance and Discipline Regulations (GDR).

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 AND ADDITIONAL RESOURCES

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

Lifeline

13 11 14

www.lifeline.org.au/gethelp

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

QLife

1800 184 527

www.qlife.org.au/get-help

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

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 Australia's largest 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

- **Players** are people who play the sport of football.
- **Participants** are people who are involved in the sport of football, which include: players, coaches, referees, club administrators, volunteers, and spectators.
- **Employees** are people who are employed by Football Victoria, which include: executive leadership team, managers, supervisors, full-time staff, part-time staff, casual staff, temporary staff, student placements, apprentices, contractors, sub-contractors.
- **Community and social football** includes all Football Victoria-sanctioned events.

Language evolves constantly. We encourage members to stay informed with other language and terminology by visiting the Pride in Sport website:
www.prideinsport.com.au/terminology

BODIES, GENDER AND GENDER IDENTITIES

- **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).

- **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')

- **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.

- **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'.

- **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.

- **Intersex (Intersex status)** is a protected attribute under the *Sex Discrimination Act 1984*. Under the Act 'intersex status' means the status of having physical, hormonal or genetic features that are:

- neither wholly female nor wholly male

- a combination of female and male, or

- 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.

- **LGBTIQ+ (or variations of it)** is an acronym for lesbian, gay, bisexual, transgender, intersex and queer/questioning. It is used to refer collectively to these communities. The 'LGB' refers to sexuality/sexual orientation; 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. The + symbol identifies all other variations of it.

- **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.

- **Pronouns** are a grammatical means of referring to a person or persons. Conventional pronouns are 'she/her/hers' and 'he/him/his'. Some people use gender neutral pronouns, such as 'they/them/their'. The pronoun a person uses to describe themselves generally reflects their gender identity.

- **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 *Sex Discrimination Act 1984*.

- **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.

- **Transition / Gender Affirmation** 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 gender affirming Surgery' 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.

- **AFAB/DFAB** Assigned female at birth/Designated female at birth.

- **AMAB/DMAB** Assigned male at birth/Designated male at birth.

SOCIETAL ATTITUDES/ISSUES

- **Ally** An ally, straight ally, or heterosexual ally is typically a heterosexual and cisgender person who supports equal civil rights, gender equality, LGBTIQ+ social movements, and challenges homophobia, biphobia, and transphobia. Not everyone who meets this definition identifies as an "ally". An ally acknowledges that LGBTIQ+ 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 LGBTIQ+ people. An ally can also be someone who identifies within the LGBTIQ+ 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).

- **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".

- **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 pathologized. 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.

- **Heteronormativity (also known as cisnormativity)** 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.

- **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.

- **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.

- **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.

SEXUAL ORIENTATIONS

- **Aromantic/aro** refers to individuals who do not experience romantic attraction. Aromantic individuals may or may not identify as asexual.

- **Asexual/ace** is a sexual orientation that reflects little to no sexual attraction, either within or outside relationships. People who identify as asexual can still experience romantic attraction across the sexuality continuum. While asexual people do not experience sexual attraction, this does not necessarily imply a lack of libido or sex drive.

- **Bisexual** is an individual who is sexually and/or romantically attracted to people of the same gender and people of another gender. Bisexuality does not necessarily assume there are only two genders.
- **Gay** is an individual who identifies as a man and is sexually and/or romantically attracted to other people who identify as men. The term gay can also be used in relation to women who are sexually and romantically attracted to other women.
- **Heterosexual (straight)** is an individual who is sexually and/or romantically attracted to the opposite gender.
- **Lesbian** is an individual who identifies as a woman and is sexually and/or romantically attracted to other people who identify as women.
- **Pansexual** is an individual who's sexual and/or romantic attraction to others is not restricted by gender. A pansexual may be sexually and/or romantically attracted to any person, regardless of their gender identity.
- **Queer** a term used to describe a range of sexual orientations and gender identities. Although once used as a derogatory term, the term queer now encapsulates political ideas of resistance to heteronormativity and homonormativity and is often used as an umbrella term to describe the full range of LGBTIQ+ identities.
- **Sexual orientation** refers to an individual's sexual and romantic attraction to another person. This can include, but is not limited to, heterosexual, lesbian, gay, bisexual and asexual. It is important to note, however, that these are just a handful of sexual identifications – the reality is that there are an infinite number of ways in which someone might define their sexuality. Further, people can identify with a sexuality or sexual orientation regardless of their sexual or romantic experiences. Some people may identify as sexually fluid; that is, their sexuality is not fixed to any one identity.

ACKNOWLEDGEMENT

The Guidelines for the Inclusion of Transgender and Gender Diverse People in Community Football have been developed in consultation with a number of stakeholders.

Pride in Sport, ACON, Proud2Play, Members of the LGBTIQ community and athletes have participated in consultations which have informed this work. We thank and acknowledge those who have participated.

We wish to acknowledge the Australian Human Rights Commission, in partnership with Sport Australia and the Coalition of Major Professional and Participation Sports for their development of the Guidelines for the inclusion of transgender and gender diverse people in sport. We thank them for their foresight and knowledge as many of the concepts and terminology used in this Guideline have been adopted from this.