



LACROSSE
VICTORIA

TRANS & GENDER DIVERSE POLICY

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Scope

This policy applies to:

- Board members
- All staff, including: managers and supervisors; full-time, part-time or casual, temporary or permanent staff; job candidates; student placements, apprentices, contractors and sub-contractors
- how Lacrosse Victoria provides services to clients and how it interacts with other members of the public
- all aspects of employment, recruitment and selection; conditions and benefits; training and promotion; task allocation; shifts; hours; leave arrangements; workload; workplace environment; equipment and transport
- aspects of participation in sport including team selection and participation, events, competitions, participation programs, club membership, and service delivery (such as providing coaching services to individuals)
- on-site, off-site or after-hours work; work-related social functions; conferences – wherever and whenever staff may be as a result of their Lacrosse Victoria duties
- staff treatment of other staff, of clients, customers and other members of the public encountered in the course of their Lacrosse Victoria duties
- Volunteers, who are protected from sexual harassment under the *Equal Opportunity Act 2010*.

Aims

Lacrosse Victoria is committed to providing a safe, supportive and respectful environment for staff and players, customers, clients, and members of the public regardless of their gender identity.

All Lacrosse Victoria staff are required to treat others with dignity, courtesy and respect.

Lacrosse Victoria is committed to providing an inclusive environment for all staff and players. Lacrosse Victoria values diversity among its staff and will not tolerate discrimination against employees or players based on their gender identity.

Rights and responsibilities

It is against the law to discriminate against someone based on their gender identity. While gender identity is commonly defined broadly (see 'Definitions' below), the Equal Opportunity Act defines 'gender identity' as a person of one sex identifying as a member of the other sex on a genuine basis by assuming characteristics of the other sex, or by living or seeking to live as a member of the other sex.¹

It is also against the law to discriminate against a person on the basis of sex. You should consider a person's sex to be what they say it is, whether or not it aligns with their sex as recorded at birth.

All incidents of discrimination – no matter how large or small or who is involved – require employers and managers to respond quickly and appropriately.

A complaint of discrimination can be made using Lacrosse Victoria's [Member Protection Policy](#) and [Complaints, Disputes, and Discipline Policy](#).

Definitions

The following definitions have been listed in alphabetical order.

Affirmation (or transition): A person's process of developing and assuming a gender expression to match their gender identity. Everyone's affirmation or transition is different and it is best not to assume how one affirms their gender or transitions.

Transition/affirmation can include:

Social affirmation: coming out to one's family, friends, and/or co-workers.

Legal affirmation: changing one's name and/or sex on legal documents.

Medical affirmation: hormone therapy and possibly (though not always) some form of surgery.

Asexual: Someone who has little or no sexual attraction to other people.

Gender binary: Binary is the classification of gender into two distinct, opposite forms of masculine and feminine, whether by social system or cultural belief.

Bisexual: A person who is emotionally and romantically attracted to multiple genders.

Cis-gender: When a person's assigned at birth sex matches their gender identity.

Gay: Someone who is romantically and sexually attracted to people of the same gender identity as themselves. It is usually used to refer to men who are attracted to other men but may also be used by women.

Gender diverse: A broad term that can refer to all forms of gender identity and gender expression outside of binary genders. It refers to people whose gender expression or identity differs from the gender identity associated with the sex assigned them at birth or society's expectations.

¹ In the Equal Opportunity Act, gender identity also refers to a person of indeterminate sex identifying as a member of a particular sex. 'Indeterminate sex' is not defined in the Act or case law and it is yet to be clarified which attribute protects people of indeterminate sex who do not identify as a member of a particular sex.

Gender identity: The way in which a person feels about their gender, how they express or present this to others and how they want to be treated by others. A person's gender identity could be as a man, a woman, neither, a combination, and can also change over time.

Heterosexual: Someone who is romantically and sexually attracted to people of the opposite gender. Also known as 'straight'.

Lacrosse Victoria event: An event or competition that is administered by Lacrosse Victoria ie the Lacrosse Victoria Junior & Senior Competitions, TriBall Lacrosse programs, School Competitions, etc. Please note this does not include National or International Championships/Tournaments. Participation at these Championships and Tournaments at the elite level will be governed by all applicable policies and criteria established by the governing bodies with jurisdiction over international competition: the International Olympic Committee (IOC), World Lacrosse (WL), and Australian Olympic Committee and Paralympics Australia.

Lesbian: A woman who is romantically and sexually attracted to other women.

LGBTQIA+: An acronym referring to people of diverse sexualities, genders and sexes standing for Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, Asexual, and other sexually or gender diverse people. Other variations of this acronym can be used.

Non-binary: Someone who does not identify as exclusively a man or a woman. This person might feel like a mix of genders, or like they have no gender at all.

Sex: Biological, anatomical or any other physical sex characteristics. Sex exists on a spectrum of traits that include conventional 'male' and 'female' characteristics.

Sexuality: Who people are attracted to and how they express this attraction.

Transgender (or trans): An umbrella term used to describe people whose gender identity is different from the sex assigned to them at birth. For example, a trans woman is someone who was assigned male at birth and identifies as a woman.

Trans woman/Trans fem: Trans woman generally describes someone assigned male at birth who identifies as a woman. This individual may or may not actively identify as trans.

Trans man/Trans masc: Trans men generally describes someone assigned female at birth who identifies as a man. This individual may or may not actively identify as trans.

Key things to know

There's more to sporting ability than strength and testosterone

Testosterone can increase a person's strength, but sport is about more than just strength. Fitness, training, age and experience often play a bigger part in making someone a good player. Recent studies have shown no significant link between testosterone and performance for elite female athletes.²

No one 'changes gender' to reap rewards in sport

Transitioning or affirming gender is a deeply personal decision and is not something done on a whim. There is no evidence at the international level of boys or men 'changing gender' to reap rewards in women's sport.

Trans and gender diverse people use toilets as toilets and change rooms as change rooms

There is no evidence to support the notion that trans and gender diverse people use toilets, change rooms or other facilities to assault or harass others. Trans and gender diverse people are generally at high risk of being victimised, assaulted or harassed in toilets and change rooms.³

No two transitions/affirmations are the same

Many trans and gender diverse people go through a process of socially, medically or otherwise **transitioning** or **affirming** their gender. This process is different for everyone and doesn't necessarily include hormone treatment or surgery.

Examples of discrimination based on gender identity

- deliberately using incorrect names (deadnaming) or pronouns (misgendering – for example, using 'he' instead of 'she')
- invasive, inappropriate questioning about a person's physical characteristics or their sex life (this may also constitute sexual harassment)
- any form of harassment or bullying, including ridiculing or ignoring someone because of their gender identity
- denying an employee training or promotion opportunities because of their gender identity
- denying access to benefits associated with club membership because of someone's gender identity
- a coach denying participation opportunities to a player on the basis of their gender identity
- discriminating against someone in team selection based on their gender identity in situations where single-sex competition exceptions do not apply
- changing the nature of someone's job, such as taking someone off customer service duties, because of their gender identity.

² See, for example, S Bermon et al, 'Serum androgen levels in elite female athletes' (2014) 99(11) *The Journal of Clinical Endocrinology & Metabolism*, 4328.

³ See, for example, J L Herman, 'Gendered restrooms and minority stress: The public regulation of gender and its impact on transgender people's lives' (2013) 19(1) *Journal of Public Management & Social Policy*, 65.

LGBTQIA+ Inclusion

Lacrosse Victoria recognise and respect all sexualities, gender identities and sexes and believe that everyone has the right to participate in a safe, respectful and welcoming environment. Lacrosse Victoria is committed to providing that environment.

Lacrosse Victoria will ensure that everyone involved – whether as a Player, Participant or otherwise – will be able to engage without fear of discrimination, harassment, mistreatment or any other negative consequence that may arise as a result of their sexuality, gender identity or sex.

Any behaviour that does not allow this, including but not limited to, language, denying someone access to facilities, denying someone club or association membership, denying someone team selection is not tolerated at Lacrosse Victoria. Such behaviour may be considered discriminatory.

Clubs and associations should have in place well-established practices of grading and the selection of players to: a) Address any relevant disparity of players b) Protect the health and safety of participants; and c) Provide fair and meaningful competitions. Such practices should be applied consistently across all players when considering varying skill levels.

Specific information on Player and Participant eligibility with respect to gender identity is covered in the Player eligibility and Participant eligibility sections.

Player and participant eligibility

Players and Participants are allowed to participate in any Lacrosse Victoria event or competition in accordance with their gender identity. This is irrespective of the Player's legal sex classification. Lacrosse Victoria recognise that gender affirmation can be diverse and that each person's gender affirmation journey is different. As such, medical or surgical intervention is not required, and Players and Participants will not be asked to undergo medical examination for the purposes of gender verification.

The Player's or Participant's gender identity shall determine the category they participate in. That is:

- Players and Participants identifying as a man are allowed to participate in the men's category and must be treated as a man.
- Players and Participants identifying as a woman are allowed to participate in the women's category and must be treated as a woman.
- Players and Participants who do not identify as neither a man or woman are allowed to participate in the category they feel most comfortable participating in and must be treated in accordance with their gender identity. This includes but is not limited to non-binary, gender fluid, and inter sex people.
- In mixed competition, the Player's and Participant's gender identity is respected, and they are allowed to participate without any gender-based restrictions.

To play in a gendered competition/event that does not align with their gender identity, a permit must be completed by the player/participant or by the parent/guardian/carer if the player is under 18 and submitted to LV for approval. The form will be reviewed on an individual basis and participation shall be allowed provided they are eligible under Rule 11.8 of the LV Competition Rules and have an approved permit from LV prior to the commencement of the game.

Any treatment of someone that differs from the eligibility criteria outlined above may be considered discriminatory.

Transitioning employees and players

Lacrosse Victoria will develop a formal plan in consultation with transitioning employees and players if the individual concerned wishes to do so. The content of the plan should be determined through discussions between management staff, the individual and any other support people the person would like to attend.

Transition plans will include information relating to name changes, dress code, and the use of toilets and other facilities.

Lacrosse Victoria will also develop a management plan for the whole organisation. The management plan may include relevant information gathered from the process of developing a personalised transition plan for individual employees and include information on:

- supports for all staff members
- communicating relevant information to others in the organisation (in a manner agreed to with the individual)

- protecting privacy and confidentiality for transitioning employees and players
- dealing with any questions or concerns from people in the organisation.

The aim of a management plan is to ensure transitioning employees and players are treated with respect and dignity, any concerns from others in the organisation are addressed, and the organisation remains free from discrimination, harassment and unfair treatment.

Use of toilets and facilities

Employees, participants and players are entitled to use toilets, change rooms and other facilities that are appropriate to their identified gender. Any individuals who have concerns about the use of toilets and facilities should raise these with the Lacrosse Victoria General Manager.

Flexible Uniforms & Staff Dress Code

Lacrosse Victoria recognises that in circumstances where a person's religious beliefs, cultural beliefs or gender identity conflicts with Lacrosse Victoria's standard dress code, that modifications to the standard dress code or uniform will be accommodated where possible (e.g. where safety and other playing requirements can be met). Employees, players, and participants are entitled to freely choose the most appropriate uniform or dress code that aligns with their affirmed gender. (see [Flexible Uniform Policy](#))

Resolving issues at Lacrosse Victoria

Lacrosse Victoria strongly encourages any individual who believes they have been discriminated against, bullied, harassed, sexually harassed, vilified or victimised to take appropriate action.

Individuals who witness another person being discriminated against, bullied, harassed, sexually harassed, vilified or victimised should also take appropriate action to address it.

Anyone who does not feel safe or confident to take such action may seek assistance from the General Manager or Chair of the Board for advice and support or action on their behalf.

To better understand what actions need to be taken, please review the [LV Complaints Flowchart](#). Other relevant documents are the [Member Protection Policy and Complaints, Disputes, and Discipline Policy](#).

Privacy and confidentiality

Members of the organisation must respect privacy and confidentiality in relation to trans and gender diverse employees and players. (see [Privacy Statement](#))

Other relevant Lacrosse Victoria policies

Staff, especially managers and supervisors, are encouraged to read this policy in conjunction with other relevant Lacrosse Victoria policies, including

- [Member Protection Policy](#)

- [LV Complaints Flowchart](#)
- [Complaints, Disputes, and Discipline Policy](#)
- [Inclusion Policy](#)
- [Codes of Conduct](#)
- [Flexible Uniform Policy](#)
- [Gender Dispensation Form](#)

More information

If you have a query about this policy or need more information, please contact Lacrosse Victoria at office@lacrossevictoria.com.au.