



National Ice Skating Association (NISA) Transgender Policy

Introduction

The sports of figure skating and speed skating belong to and should be enjoyed by anyone who wants to participate in them. NISA (The National Ice Skating Association of Great Britain and Northern Ireland) governs domestic skating competitions in the UK under its own and ISU (International Skating Union) rules.

With respect to participation in competitions, NISA has adopted the International Olympic Committee's position on transsexual athletes as set out in the Stockholm Statement 2004 and the IOC Consensus Meeting on Sex Reassignment and Hyperandrogenism November 2015, and as amended by the IOC and / or the ISU from time to time.

The Gender Recognition Act 2004 (the "Act") permits transsexual people who have taken decisive steps to live fully and permanently in their acquired gender to gain legal recognition of that gender and have their fundamental rights to privacy, family life and freedom from discrimination respected.

The Act however allows Sports Organisations to restrict or prohibit the participation of those whose gender has become an acquired gender under the Act in gender affected sports. A gender affected sport is one where the average physical strength, stamina or physique of one gender would put them at an advantage to those of the other gender in competitions within the sport. Such prohibitions or restrictions can only be made in the interests of fair and safe competition.

Definitions

"Panel" means the Gender Recognition Panel established pursuant to the Gender Recognition Act 2004.

Gender Reassignment

Under the Equality Act 2010, a person has the characteristic of gender reassignment if the person is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning that person's sex by changing physiological or other attributes of sex.

A reference to a transsexual person is a reference to a person who has the characteristic of gender reassignment.

The reassignment of a person's gender may include undergoing medical gender reassignment treatments. However, it is not necessary for somebody to have undergone medical treatment in order to have the characteristic of gender reassignment. A transsexual person may or may not be proposing to undergo, be in the process of undergoing, or have completed a reassignment of their sex. Gender reassignment is a personal process (that is,

moving away from one's birth sex to the preferred/affirmed gender), rather than a medical process.

Gender reassignment is one of 9 protected characteristics under the Equality Act 2010, and as such transsexual people are protected against discrimination.

The Gender Recognition Act 2004 also makes clear that the trans status of a person is confidential.

The NISA Policy

For Domestic competitions

Those who transition from female to male are eligible to compete in the male category without restriction.

Those in transition from male to female are eligible to compete in the female category up to and including level three criteria in Figure Skating, below Junior C in Speed Skating and at any level in Inclusive Skating and all Disability Sport competitions.

For Domestic Competitions (At level four criteria or above in Figure Skating and/or Junior C or above in Speed Skating and all international competitions)

NISA's policy on transsexual people wishing to participate in skating competitions in their affirmed gender is as follows:

- Skaters must abide by the rules as set out by the International Olympic Committee's position on transsexual athletes as set out in the Stockholm Statement 2004 and the IOC Consensus Meeting November 2015 and as amended by the IOC and/ or the ISU from time to time.

An individual who has undergone gender reassignment may participate under their acquired gender where they meet the following conditions:

1. Those who transition from female to male are eligible to compete in the male category without restriction.
2. Those who transition from male to female are eligible to compete in the female category under the following conditions:
 - 2.1 The athlete has declared that her gender identity is female. The declaration cannot be changed, for sporting purposes, for a minimum of four years.
 - 2.2 The athlete must demonstrate that her total testosterone level in serum has been below 10 nmol/L for at least 12 months prior to her first competition (with the requirement for any longer period to be based on a confidential case-by-case evaluation, considering whether or not 12 months is a sufficient length of time to minimize any advantage in women's competition).
 - 2.3 The athlete's total testosterone level in serum must remain below 10 nmol/L throughout the period of desired eligibility to compete in the female category.

Compliance with these conditions may be monitored by testing. In the event of non-compliance, the athlete's eligibility for female competition will be suspended for 12 months.

Where appropriate, Legal recognition of their acquired gender has been conferred by the Gender Recognition Panel; or is confirmed by a suitable qualified medical practitioner.

An individual wishing to participate under their acquired gender will have their application considered by a Medical Officer appointed by the NISA. For the avoidance of doubt, the Medical Officer will assess the application to ensure that the individual meets the necessary conditions.

An individual whose application is refused will have the right to appeal that decision to an independent appeals panel established by Sports Resolutions.

To avoid discrimination, if not eligible for female competition, the individual should be eligible to compete in male competition.

This policy should be applied flexibly, taking into account the youth and development of the skaters

The presumption is that there is no unfair advantage in transition from female to male.

The presumptions can be rebutted by evidence on a case by case basis

Privacy

NISA (and its officers and staff) and any organisers of event(s) sanctioned by the NISA 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.

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