

# Egale \_\_\_\_

# **2SLGBTQI Inclusion in Sports**

Playbook to breaking down barriers



# About Egale

Egale is Canada's leading organization for 2SLGBTQI people and issues. We improve and save lives through research, education, awareness, and by advocating for human rights and equality in Canada and around the world. Our work helps create societies and systems that reflect the universal truth that all persons are equal and none is other.

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A sincere thank you goes to the S.M. Blair Family Foundation for making this playbook possible.



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#### "Sport has the power to change the world." - Nelson Mandela, 2000

Being able to practice 2SLGBTQI allyship in sport starts by understanding the barriers to 2SLGBTQI inclusion and accessibility. This resource lays out the different barriers of discrimination that exist in sports and provides tips and tricks on how to foster a more inclusive sport environment. Whether you are a coach, athlete, administrative staff, parent, or a fan, this resource will start you off in thinking about strategies for the inclusion work we all have a part to play in.

The barriers to 2SLGBTQI inclusion and accessibility can be categorized into **three** overarching ways that apply to most sports and sporting environments:

• Physical barriers

e.g. accessible buildings, changing facilities, and washrooms

• Administrative barriers

e.g. registration processes, medical testing, and team assignment

Cultural barriers

e.g. organizational policies, everyday language, and transphobia (physical and verbal).



# **Physical Barriers**

Barrier-free facilities take into consideration and prioritizes an individual's rights to ensure that they are upheld and that needs are met. A facility with minimal physical barriers provides an environment where everyone feels safe and secure enough to participate in the same opportunities as others.



#### **Rights**

Everyone has the legal right to access gender segregated spaces that fit their gender identity (Government Bill, 2017; Branch, L.S., 2021).

Here are a few statistics from a <u>2014 survey by Trans PULSE</u> <u>Ontario</u> that paints a picture of reported trans experiences:

**57%** of trans people avoided using public washrooms whenever possible

**44%** had avoided going to a gym due to being trans

**32%** have also avoided clubs or social groups

A 2021 survey by Trans PULSE Canada also found that

**56%** of non-binary people avoided using public washrooms

**54%** of non-binary people have also avoided going to gyms or pools



As a result, trans people have an increased risk for developing urinary tract infections and other health complications because they so often stay dehydrated or avoid accessing washrooms, to the point where it harms their bodies (James, Herman, Rankin, Keisling, Mottet & Anafi, 2016).

#### Safety

Even though <u>two-thirds of trans youth reported</u> being required to use a locker room of a particular gender they do not identify with or where they do not feel safe in (Peter, Campbell and Taylor, 2021), arguments around physical safety often focus too much on the safety of cisgender people without considering the safety of trans people.

Here are some **common arguments** and how you can **combat** against them:

- Some argue that allowing trans women to use the women's washroom is the same as allowing men to use it.
   This is inherently false – transgender women are women, not men.
- Another common argument is that allowing trans people to use the washroom where they feel safest will allow sexual predators to pretend to be trans and enter the women's washroom to harass and assault women. This fails to consider that there is nothing stopping predatory men from exhibiting this behaviour anyways. The laws that penalize assault still exist even with trans people being able to use the washroom they choose to.

By upholding barriers that put trans and non-binary people at risk of transphobic verbal, physical, and sexual violence, we decrease opportunities for them to participate in sports. To improve the participation of trans and non-binary people in the social participation of sports, we must remove these barriers that prevent feelings of safety.



#### Privacy

There is a need to build and make available more facilities with individual stalls in changerooms and washrooms. This will meet varying needs related to physical ability, body image concerns, anxiety, as well as gender-related reasons.

Keep in mind:

- Trans and non-binary players should never be forced to change somewhere separately as it is discrimination to exclude someone based on their identity and expression.
- If there is a person who is uncomfortable or refuses to change in the same room as a trans or non-binary person, it is *that* person's responsibility to change elsewhere.

See Egale's <u>Inclusive Washrooms guide</u> to begin understanding how make washrooms into inclusive spaces for everyone.





# **Administrative Barriers**

Administrative structures can include registration processes, team categories, and even medical barriers. A 2016 systematic literature review found that trans athletes had a mostly negative experience in competitive sports because of the restrictions the sport's policies placed on them (Jones, Arcelus, Bouman & Haycraft, 2017). That same study found that most trans competitive sports policies that were reviewed were not evidence-based.



Registration processes offer a first glance at how your organization practices inclusivity. Here are a few "do's" and "don'ts":

| Do's  | Don'ts  |
|---|---|
| Provide an inclusive drop-down list<br>of genders that includes at least 5-6<br>options (see below for examples).<br>List it in alphabetical order and<br>include options for "prefer not to<br>answer, selecting multiple choices,<br>and an open ended choice where<br>someone can self-identify. Also<br>ask yourself if this is necessary<br>information you are gathering. | Forms that only offer two gender<br>markers, restrictive options in titles<br>(eg. Mr/Mrs) and that use overtly<br>gendered language may create<br>exclusion or give off the impression<br>that trans and non-binary athletes<br>are not welcome. |
| When a legal name is required, there should also be the option of providing a chosen name.  | Do not ask for legal names when they<br>are not necessary.  |
| Include a field where registrants can type in their own pronouns.   | Do not assume someone's pronouns<br>based on their name.  |





#### **Example question:**

What is your gender? (Select all that apply)

- Agender
- Bigender
- Genderfluid
- Man
- Non-binary
- Trans
- Trans man
- Trans woman
- Two Spirit
- Woman
- I prefer not to answer
- I identify as \_\_\_\_\_

#### **Teams & Competition Categories**

A major deterrent for 2SLGBTQI people in sports participation is uncertainty about if or how they can join and compete in a sport.

Here are some best practices:

- As a stop-gap measure, the best practice is to allow trans and non-binary people to choose which category they feel most comfortable to compete or play in. Further to this, there should be minimal barriers to switching categories once a category has been chosen.
- Binary gendered teams or gendered competition categories present issues for individuals who are nonbinary. It is necessary to consider other methods for dividing competition categories at all levels of sport. For Olympic competitions, categories could be divided by weight, time, and abilities. For recreational sports or general physical



education, teams could be divided by knowledge of activity or month of birth.

• Be mindful that even in coed contexts, binary gender categories are often enforced. They are frequently written as minimums (at least two girls/women on the team); consider rewriting them as maximums (at most 4 people of the same gender).

#### Medical

For an athlete to change gender categories for competition, they must navigate stringent rules and steps. This often operates under the presumed competitive advantage some transgender athletes could have over some cisgender athletes (specifically trans women). Some factors to consider are:

- Though testosterone may change the body in certain ways, there is no specific support that higher levels of testosterone provide a performance advantage.
- A focus on regulating testosterone, a naturally occuring hormone in both cis women and cis men, in women is discriminatory. There are a variety of sports where certain body types or physical characteristics, such as height, weight, and muscle mass, are deemed advantageous. However, athletes are not excluded on those grounds because that would be discriminatory.

#### For example:

Michael Phelps is lauded for his natural physique whereas Caster Semenya is penalized for hers.

• There is an unfounded claim that cisgender men may fake being trans in order to excel at sports. This level of unsportsmanlike behaviour would entail high levels of deception and risk. This is highly unlikely to ever occur to justify current policies harming trans athletes. For more information on trans inclusion policies check out the Canadian Centre for Ethics in Sport: <u>Creating Inclusive</u> <u>Environments for Trans Participants in Canadian Sport.</u>

#### **Further Reading:**

Sport & Transgender People, Jones et al., 2016;

Race Times for Transgender Athletes, J. Harper, 2015.

<u>Open letter: Egale Canada Calling On World Rugby To Not Ban</u> <u>Transgender Women From Competing</u>





Egale Canada is calling on World Rugby to not implement the outright ban of transgender women from competing in women's rugby. Read our letter to the Chair of World Rugby: bit.ly/3hh0dLM



3:53 PM · Aug 20, 2020

Egale

# **Cultural Barriers**

As cultural shifts inspire further learning; we acknowledge the unlearning that must be done as well. Both learning and unlearning processes are relevant when thinking about implementation of policy, partnerships with other bodies, and general attitudes and everyday interactions. Vendors, venues, teams and sports individuals all have a role to play in breaking down cultural barriers to 2SLGBTQI inclusion in sport.

#### **Common Policies to Rethink**

Sports organizations need to assess how administrative policies are reflected across the organization and in its everyday practices. Here are a few "dos" and "don'ts":

| Do's   | Don'ts   |
|--|--|
| The Personal Information Protection<br>and Electronics Documents Act<br>(PIPEDA) forbids organizations<br>from requiring individuals to submit<br>any non-essential information and<br>precludes them from sending any<br>collected information to another<br>organization without the individual's<br>explicit and informed consent. <b>Be</b><br><b>intentional about the information</b><br><b>you seek, and remind yourself to ask</b><br><b>why you need to know.</b> | Collect non-essential information (e.g.<br>insisting on knowing a player's legal<br>name, assigned sex details and/or<br>history) or fail to keep information in<br>strict confidence. |

| The Canadian Centre for Ethics in<br>Sport's current policy guidelines<br>recommend that trans and non-<br>binary athletes at all levels, up until<br>international federation level, <b>should</b><br><b>be able to participate in the gender</b> | Assigning gender categories with no<br>regards to athlete's choice. |
|--|---|
| <b>category in which they identify</b><br><b>with</b> , without policing or requiring<br>disclosure of history, hormone<br>therapy, or surgical intervention.  |   |
| Provide gender-neutral options, or<br>at least the <b>choice</b> to decide what<br>might be most comfortable for the<br>athlete to wear. It is also important to<br>source uniforms that are available in<br>a greater range of sizes.             | Provide gendered uniforms without<br>choice or appropriate sizing.  |

#### Partnerships with Vendors, Venues, & Other Teams

Competing teams from other jurisdictions, spectators, and facility or concession staff should contribute to the overall safety and inclusivity of the competition environment.

Here are some best practices:

- Be explicit about a zero-tolerance policy for anti-2SLGBTQI behaviours, such as an opposing team or players refusing to play against a trans or queer athlete, or verbally or physically harassing them.
- Refrain from agreeing to compete at venues that make it difficult or uncomfortable to accommodate requests for private or gender inclusive changerooms or

In October 2020, an openly gay San Diego Loyal professional soccer player, Collin Martin, was allegedly called a homophobic slur by an opposing player. In response, even though Martin's team needed to win this match to qualify for the playoffs, the team decided to walk off the field, forfeiting the match. washrooms, or that fail to reproach anti-2SLGBTQI behaviours from staff or on-site vendors.

• Advise visitors of on-site washroom policies and behavioural expectations.

#### It's All About Attitude

#### "Two-thirds of LGB athletes and 85% of trans athletes report experiencing at least one episode of discrimination."

- (Demers, 2017)

Changing language and attitudes requires conscious selfexamination, education, and commitment. Attitudes and behaviours are measured by the impact they have, not the intention behind them.

Here are a few "do's" and "don'ts"

| Do's   | Don'ts   |
|--|--|
| Reflect on why you want certain<br>questions answered, and whether<br>or not the answers serve to create<br>a respectful relationship with the<br>athlete. If it is education you seek,<br>do your own research first, and then<br>ask if someone has the capacity to<br>share their experiences for the sake<br>of your learning. | Ask suggestive, invasive, or otherwise<br>inappropriate questions. While it<br>is not always a result of ill-intent<br>or discrimination, it may convey<br>ignorance and risk harm.          |
| Abide by a zero-tolerance policy on bullying and discrimination.   | Indulging in and allowing "locker<br>room talk". Often, the nature of these<br>conversations perpetuate anti-<br>2SLGBTQI and sexist attitudes and the<br>exclusion of 2SLGBTQI individuals. |



| Fostering and inclusive environment       |                                     |
|---|-------------------------------------|
| for everyone works best when              | Fail to provide clear policy or     |
| authority figures are willing to step up  | behavioural expectations to teams,  |
| and be intentional and explicit in their  | parents, officials, and spectators. |
| inclusion efforts.                        |                                     |
| Ask people what their pronouns            |                                     |
| are. Practice using gender neutral        | Fail to acknowledge an athlete's    |
| pronouns and language for anyone          | affirmed gender through refusal     |
| who has not explicitly told you what      | to use their correct name and/      |
| their pronouns are. Here is a guide       | or pronouns and other gendered      |
| on <u>pronoun usage</u> and <u>gender</u> | language.                           |
| <u>neutral language usage.</u>            |                                     |

Sports serve as an important part of many cultures and provide opportunities for both mental and physical health development. Everyone should have the opportunity to participate in sports that are inclusive and affirming of who they are. The work towards inclusion not only provides a safer and more welcoming environment to 2SLGBTQI people, it also benefits everyone that plays a part in sports and sporting environments.

See also: Sports Inclusion in Canada - Literature Review





### References

- Branch, L. S. (2021, July 12). Consolidated federal laws of Canada, Canadian Human Rights Act. Retrieved from <u>https://laws-lois.justice.gc.ca/eng/acts/h-6/</u>
- Buzinski, J. (2020, October 01). San Diego pro soccer team forfeits game after gay player allegedly called a slur. Retrieved from <u>https://</u> <u>www.outsports.com/2020/10/1/21496628/san-diego-loyal-</u> <u>soccer-collin-martin-gay-slur-forfeit</u>
- Canadian Centre for Ethics in Sport (CCES), & Trans Inclusion in Sport Expert Working Group. (n.d.). Creating Inclusive Environments for Trans Participants in Canadian Sport: Guidance for Sport Organizations. Retrieved 2021, from <u>https://cces.ca/sites/default/files/content/docs/pdf/cces-</u> <u>transinclusionpolicyguidance-e.pdf</u>
- Egale Canada, Peter, T., Campbell, C. P., & Taylor, C. (2021). Still In Every Class In Every School: Final report on the second climate survey on homophobia, biphobia, and transphobia in Canadian schools. Retrieved from <u>https://egale.ca/awareness/still-inevery-class/</u>
- Egale Canada. (n.d.). Toilet Training: The basics of making your washrooms inclusive for everyone. Retrieved from <u>https://egale.</u> <u>ca/awareness/inclusive-washrooms/</u>
- Egale Canada, & Quesnel, D. (2020, September). Sports Inclusion in Canada. Retrieved July, 2021, from <u>https://egale.ca/reseach-hub/#Sports</u>
- Government Bill (House of Commons) C-16 (42-1) Royal Assent An Act to amend the Canadian Human Rights Act and the Criminal Code – Parliament of Canada. (2017, June 19). Retrieved from <u>https://www.parl.ca/DocumentViewer/en/42-1/bill/c-16/royal-assent</u>
- Harper, J. (2015). Race Times for Transgender Athletes. Journal of Sporting Cultures and Identities, 6(1), 1-9. <u>doi.</u> <u>org/10.18848/2381-6678/CGP/v06i01/54079</u>



- Hesse, M. (2019, May 2). We celebrated Michael Phelps's genetic differences. Why punish Caster Semenya for hers? The Washington Post. <u>https://www.washingtonpost.com/lifestyle/ style/we-celebrated-michael-phelpss-genetic-differences-</u> <u>why-punish-caster-semenya-for-hers/2019/05/02/93d08c8c-</u> <u>6c2b-11e9-be3a-33217240a539\_story.html</u>
- Herman, J. L. (2013). Gendered restrooms and minority stress: The public regulation of gender and its impact on transgender people's lives. *Journal of Public Management & Social Policy*, 19(1), 65-80. Retrieved from <u>https://www.proquest.com/</u> <u>openview/6ebbae07eff8c4f2349657f3b7c86545/1?pq-</u> <u>origsite=gscholar&cbl=2026673</u>.
- James, S. E., Herman, J. L., Rankin, S., Keisling, M., Mottet, L., & Anafi, M. (2016). The report of the 2015 U.S. Transgender Survey. Washington, DC: National Center for Transgender Equality. Retrieved from <u>https://transequality.org/sites/default/files/</u> <u>docs/usts/USTS-Full-Report-Dec17.pdf</u>
- Jones, B. A., Arcelus, J., Bouman, W. P., & Haycraft, E. (2017). Sport and transgender people: A systematic review of the literature relating to sport participation and competitive sport policies. *Sports Medicine*, 47(4), 701-716. Retrieved from <u>https://link.</u> <u>springer.com/article/10.1007/s40279-016-0621-y</u>.
- Navarro, J., Lachowsky, N., Hammond, R., Burchell, D., Arps, F., Davis, C., & Bauer, G. (2021, July 6). Report – Health and wellbeing among non-binary people. Retrieved from <u>https://</u> <u>transpulsecanada.ca/research-type/reports</u>
- Office of the Privacy Commissioner of Canada. (2021, February 11). The Personal Information Protection and Electronic Documents Act (PIPEDA). Retrieved from <u>https://www.priv.gc.ca/en/privacy-</u> <u>topics/privacy-laws-in-canada/the-personal-information-</u> <u>protection-and-electronic-documents-act-pipeda/</u>
- Scheim, A., Bauer, G., & Pyne, J. (2014, January 16). Avoidance of Public Spaces by Trans Ontarians: The Impact of Transphobia on Daily Life. Retrieved from <u>https://transpulseproject.ca/wp-content/</u> <u>uploads/2014/01/Trans-PULSE-E-Bulletin-8-English.pdf</u>

