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## 1. Introduction

- 1.1 The British Judo Association ("**BJA**") is the national governing body ("**NGB**") responsible for regulating within its jurisdiction the participation of persons in all the disciplines of the sport of judo in Great Britain ("**Judo**"). BJA is a Member Federation of the IBSA and IJF (as defined below) and is responsible for determining the participation framework for Judo.
- 1.2 BJA has a duty of care to all Athletes participating in Judo and it is BJA's view that gender identity should not be a barrier to such participation. The purpose of this document is to provide clear eligibility and inclusion criteria ("**Eligibility Criteria**") and processes relating to Transgender Athletes' ability to participate in non-Competitive and Competitive Judo (this "**Policy**"). This Policy reflects BJA's commitment to providing safe, fair, inclusive, and non-discriminatory opportunities for all Athletes.
- 1.3 BJA undertakes to make available (on request) electronic copies of this Policy as amended from time to time. Electronic copies of this Policy are available on the BJA website (the "**Website**"). The Website will also contain contact details in the event that (i) any person is unable to download this Policy; and/or (ii) any person requires this Policy in another format. All requests will be considered on their merits on a case-by- case basis. In circumstances where an individual has been recognised as having an intellectual impairment, BJA shall use all reasonable endeavours to communicate the contents of this Policy to such individual in the most appropriate manner and form in liaison with the parents of, or other persons with legal responsibility (where appropriate) for such individual.
- 1.4 BJA also agrees that in any case where there is an actual or alleged breach of this Policy by an individual who has been recognised as having an intellectual impairment, in considering whether or not there has been any such breach and/or in determining whether or not it imposes any sanction and, if so, what that sanction should be, BJA shall reasonably consider and take into account the nature and effect of the impairment. BJA will in good faith hear reasonable representations relating to this.

## 2. Definitions and Interpretation

### 2.1 The following terms have the following meanings:

<b>Affirmed Gender:</b>	the Sex that a person identifies as or has transitioned/is transitioning to as opposed to that which was assigned at birth;
<b>Athlete:</b>	any athlete who participates in Judo under the jurisdiction of BJA;
<b>Athlete Support Personnel:</b>	any Coach, trainer, manager, agent, team staff, official, nutritionist, medical, paramedical personnel, parent or other person with legal responsibility or any other person working with, treating or assisting an Athlete participating in or preparing for participation in Judo under the jurisdiction of BJA;
<b>Applicable Laws:</b>	any and all: (i) laws, statutes, regulations, decisions, rulings, directives, codes of practice, government policies, enactments or instruments (including national, regional, local or principal laws, regulations or by-laws of any kind whatsoever) relevant to this Policy;
<b>Biological Sex:</b>	the chromosomes, reproductive organs and other characteristics of an individual which determine their Sex;
<b>BJA Competitions:</b>	Competitive Judo competitions (including Competitive Dan competitions) where Athletes engage in contests, which are adjudicated by a referee, which are licenced, owned, run and/or organised by or on behalf of BJA;
<b>Chromosomal Sex:</b>	the chromosomes of an individual which determine their genetic or Biological Sex;
<b>Club:</b>	any Judo club licenced by or affiliated with BJA to which the Athlete is officially registered from time to time (including any club to which the Athlete's registration is temporarily transferred);
<b>Coach:</b>	BJA licensed Judo coaches;
<b>Competitive Dan Grade(s):</b>	BJA' Judo grading system based on physical, competitive ability;
<b>Competitive Judo</b>	takes place during a BJA Competition or grading, with a referee employing the contest rules to identify a winner and loser. Judokas enter the event in accordance with event rules and regulations;
<b>Dan Grade(s):</b>	BJA's Judo grading system aimed at Athletes 15 years and older who have completed the Kyu Grades and/or Mon Grades. Dan Grade(s) consist of two distinctive categories, Competitive Dan and Technical Dan;

<b>Data Protection Legislation:</b>	all applicable laws relating to data protection, the processing of personal data and privacy, including: the Data Protection Act 2018, the General Data Protection Regulation (EU) 2016/679 (EU GDPR) and UK General Protection Regulation (UK GDPR) , the Privacy and Electronic Communications (EC Directive) Regulations 2003 (as may be amended by the proposed Regulation on Privacy and Electronic Communications), and any other data protection and/or privacy legislation applicable in the UK from time to time, (each as amended, updated, replaced or re-enacted from time to time and including all subordinate legislation made from time to time under or giving effect to the same) and references to “sensitive personal information” have the meaning set out in, and will be interpreted in accordance with, such applicable laws;
<b>DSD:</b>	differences (or disorders) in sexual development where external genital appearance is discordant with internal reproductive organs (testes and ovaries);
<b>EJU:</b>	the European Judo Union, the international union recognised by the IJF as one of five continental unions for administering Judo competitions;
<b>EJU Competitions:</b>	events, tournaments and other international competition events under the jurisdiction of the EJU;
<b>Eligible Impairment:</b>	a physical or intellectual impairment designated as being a prerequisite for Para-Athletes competing in Judo under the jurisdiction of the BJA;
<b>England Judo:</b>	the NGB for Judo in England;
<b>Female:</b>	possession of XX chromosomes and (in the absence of medical intervention) ovaries and increased circulating oestrogen and progesterone starting at puberty;
<b>Grading(s):</b>	BJA’s four grading awards (Sho Awards, Mon Grades, Kyu Grades and Dan Grades) which acknowledge the progression and achievement of Athletes in Judo;
<b>Gender Affected Activity:</b>	an activity in which the physical strength, stamina, or physique of average persons of one Biological Sex would put them at a disadvantage (or advantage) to average persons of the other Biological Sex, as competitors in an event of that gender-affected sport, as defined under s.195 of The Equalities Act 1995;
<b>Home Nation(s):</b>	the Home Nation Bodies of Judo within Great Britain (Judo Scotland, Northern Ireland Judo Federation and the Welsh Judo Association) which are members of BJA;
<b>Home Nation Competitions:</b>	BJA Competitions under the jurisdiction of a Home Nation;
<b>IBSA:</b>	the International Blind Sports Federation, the international federation recognised by the IPC for administering international Judo competitions for Para-Athletes;
<b>IBSA Competitions:</b>	events, tournaments and other international competition events under the jurisdiction of the IBSA;

<b>IJF:</b>	the International Judo Federation, the international federation recognised by the IOC for administering international Judo competitions;
<b>IJF Competitions:</b>	events, tournaments and other international competition events under the jurisdiction of the IJF;
<b>IOC:</b>	the International Olympic Committee;
<b>IPC:</b>	the International Paralympic Committee;
<b>Judo Scotland:</b>	the NGB for Judo in Scotland;
<b>Kyu Grade(s):</b>	BJA's Non-Competitive Judo Grading system based on technical ability, knowledge and understanding aimed at 14-year-olds and older or Athletes who are between 14 and 17 year olds who already hold Mon Grades;
<b>Legal Gender:</b>	the Sex or gender that is recognised under the law;
<b>Male:</b>	possession of XY chromosomes and (in the absence of medical intervention) testes and increased circulating testosterone starting at puberty;
<b>Member Federation:</b>	a national governing body for Judo which is a member of the IBSA and IJF;
<b>Mon Grade(s):</b>	BJA's Non-Competitive Judo Grading system based on technical ability, knowledge and understanding aimed at 8-to-17-year-olds;
<b>Non-Competitive Judo:</b>	General training in the club setting including, but not limited to, technical development, Randori and Sho Awards, Mon Grades, Kyu Grades and Technical Dan Grades;
<b>Northern Ireland Judo:</b>	the NGB for Judo in Northern Ireland;
<b>Para-Athlete:</b>	athletes with an eligible Impairment who participate in Judo under the jurisdiction of BJA;
<b>Randori:</b>	All variances of Judo 'free-style exercise' between two participants as part of training in a club setting;
<b>Sex:</b>	natural biological differences between Females and Males, including chromosomes, reproductive organs, and endogenous hormonal profiles. This Policy uses the word Sex and the term "Biological Sex" interchangeably;
<b>Sho Award(s):</b>	BJA's Non-Competitive award system based on developing fundamental movement skills for 5- to 7-year-olds;
<b>Tanner Stages:</b>	the five stages of puberty during which individuals develop secondary Biological Sex characteristics. Tanner Stage 2 denotes the onset of puberty. The normal time of onset of puberty ranges from 8 to 13 years old in females and from 9 to 14 years old in males;
<b>Technical Dan Grade(s):</b>	BJA's Non-Competitive Judo grading system based on knowledge and understanding rather than physical ability and/or competition results and/or points;

<b>Therapeutic Use Exemption/ TUE:</b>	a Therapeutic Use Exemption allows an Athlete with a medical condition to use a Prohibited Substance or Prohibited Method as defined in the WADA Code; but only if the conditions set out in the International Standard for Therapeutic Use Exemptions are met;
<b>Transgender:</b>	people whose gender is not the same as, or does not sit comfortably with, the Biological Sex they were assigned at birth;
<b>Transgender Athlete:</b>	any Athlete who is Transgender (Transgender Woman or Transgender Man) and participates in Judo under the jurisdiction of BJA;
<b>Transgender Woman/ Women:</b>	someone who is assigned male at birth but identifies and lives as a Female. This may be shortened to trans woman, or MTF, an abbreviation for male-to-female;
<b>Transgender Man/ Men:</b>	someone who is assigned female at birth but identifies and lives as a Male. This may be shortened to trans man, or FTM, an abbreviation for female-to-male;
<b>UKAD:</b>	United Kingdom Anti-Doping (or any successor to, or replacement thereof). UKAD is responsible for ensuring sports bodies in the United Kingdom are compliant with the WADA Code through implementation and management of the UKAD Rules;
<b>UKAD Rules:</b>	the rules of UKAD known as the United Kingdom Anti-Doping Rules (as in place from time to time);
<b>WADA:</b>	World Anti-Doping Agency (or any successor to, or replacement thereof);
<b>WADA Code:</b>	the Code of WADA (as in place from time to time) which provides the framework for anti-doping policies, rules, and regulations within sport organisations and among public authorities. It is designed to harmonise anti-doping policies and ensure the standards are the same for all athletes within all sports and countries; and
<b>Welsh Judo Association:</b>	The NGB for Judo in Wales

2.2 References to “include” and “including” in this Policy are to be construed without limitation.

### 3. **Background to the Policy**

3.1 Judo is a Gender Affected Activity. BJA Competitions are therefore separated into men’s and women’s competition categories. It is generally regarded that the purpose of Sex segregation relates to the fairness of competition and safety of Athletes. Due to the performance gap that emerges at puberty between biological males as a group and biological females as a group, separate Sex competition is necessary for the attainment of these objectives. Sport, therefore, uses Sex segregation as a mechanism to protect those who are physiologically disadvantaged due to their Biological Sex.

3.2 BJA is committed to: (1) ensuring equal opportunity for both Male and Female Athletes to participate and succeed in Judo, including through the equal representation in its programmes and competitions of Athletes of both Biological Sexes; and (2) ensuring competitive fairness and physical safety within BJA Competition categories.

3.3 On 12th November 2021, the IOC issued its new “Framework on Fairness, Inclusion and Non-Discrimination on the basis of Gender Identity and Sex Variations” (the “IOC Framework”). The IOC Framework granted autonomy to sporting international federations (including the IBSA

and IJF) to determine the eligibility and inclusion criteria and frameworks for their particular sports. Following the IOC Framework and the earlier publication by the Sports Council Equality Group on the 30th September 2021 of "The UK's Sports Councils Guidance for Transgender Inclusion in Domestic Sport", BJA has undertaken a review of its eligibility and participation criteria resulting in the creation and adoption of this Policy.

- 3.4 This Policy is intended to be comprehensive, fair and equitable.

#### **4. The Policy Objectives**

- 4.1 BJA is committed to the participation and inclusion of all Athletes in Non-Competitive Judo.
- 4.2 It is committed to the separation of Competitive Judo into men's and women's categories according to Biological Sex to ensure fairness of competition and safety of all Athletes.
- 4.3 The participation of Athletes in Competitive Judo is subject to the Eligibility Criteria. To the extent that any Transgender Athlete is able to satisfy the Eligibility Criteria, they may compete in BJA Competitions.
- 4.4 In light of these commitments, the objectives of this Policy are:
  - 4.4.1 to allow all participants in Judo to take part in Non-Competitive Judo, regardless of their Biological Sex or Affirmed Gender; and
  - 4.4.2 to maintain the separation of Judo Competitions into men's and women's categories according to Biological Sex-based criteria.
- 4.5 The BJA is committed to actively exploring alternative competition structures that would enable Transgender Athletes who do not satisfy the Eligibility Criteria to participate in a competitive structure.

#### **5. Application of the Policy**

- 5.1 This version of the Policy came into effect on the Date of Issue specified on the front cover.
- 5.2 This Policy shall apply to:
  - 5.2.1 all Athletes competing in BJA Competitions.
  - 5.2.2 Non-Competitive Judo; and
  - 5.2.3 all Athlete Support Personnel.
- 5.3 This Policy shall not apply to:
  - 5.3.1 DSD Athletes;
  - 5.3.2 competitions outside of BJA Competitions, EJU Competitions, IBSA Competitions and IJF Competitions;
  - 5.3.3 Athletes and Athlete Support Personnel involved in training camps, other activities, or competitions wholly within the jurisdiction of IBSA, IJF and/or any other body outside of BJA's jurisdiction; and
  - 5.3.4 any case involving a prohibited substance or other offence under the WADA Code, BJA Anti-Doping Rules, IBSA Anti-Doping Rules, IJF Anti-Doping Rules and UKAD Rules (as in place from time to time) which shall be dealt with by WADA, BJA, IBSA, IJF the IJF and/or UKAD according to the relevant Anti-Doping Rules.

#### **6. Eligibility Criteria**

- 6.1 All Athletes (including Transgender Athletes) are eligible to practice Non-Competitive Judo without Biological Sex segregation subject to Coaches ensuring that training occurs between Athletes of equivalent Grading, experience, competence, strength, weight and capability.



- 6.2 A Transgender Athlete may only be eligible to compete in the men's category or in the women's category in BJA Competitions if they are in compliance with the relevant Eligibility Criteria set out below. No Athlete is excluded from a BJA Competition based on their Legal Gender and/or Affirmed Gender PROVIDED THAT they comply with the Eligibility Criteria.
- 6.3 **Transgender Athletes are not eligible to compete in BJA Competitions in a Sex category which is different to their Chromosomal Sex.**
- 6.4 Where an Athlete and/or Transgender Athlete from another sport wishes to participate in Judo, BJA shall not recognise nor give effect to any decision of the other sport governing body relating to the Athlete's and/or Transgender Athlete's participation in that sport.
7. **Eligibility Criteria for Men's Category BJA Competitions**
- 7.1 Subject to compliance with Clause 7.2, all Male Athletes, are eligible to compete in BJA Competitions in the men's category, regardless of their Legal Gender and/or Affirmed Gender.
- 7.2 Male Athletes in violation of the WADA Code, BJA Anti-Doping Rules, IBSA Anti-Doping Rules, IJF Anti-Doping Rules and UKAD Rules (as in place from time to time) (or any other applicable anti-doping rules) may only return to competition after they have served their period of ineligibility.
- 7.3 All Athletes must verify that their use of any medication or hormone therapy is not prohibited using GlobalDRO.
8. **Eligibility Criteria for Women's Category BJA Competitions**
- 8.1 Subject to compliance with Clauses 8.2 and 8.3, all Female Athletes are eligible to compete in BJA Competitions in the women's category, regardless of their Legal Gender and/or Affirmed Gender.
- 8.2 Female Athletes who have previously used testosterone as part of female-to-male gender-affirming hormone treatment (with or without a TUE) but are no longer following that treatment are eligible to compete in the women's category in BJA Competitions if they can establish to BJA's reasonable satisfaction that (a) the testosterone use was for less than a year in total (i.e., from the date of first use to the date of last use) and did not take place during pubertal growth and development, and (b) their testosterone levels in serum (or plasma) are back to pre- treatment normal and any associated anabolic effects have been eliminated and (c) they are in compliance with Clause 8.3 below.
- 8.3 Female Athletes in violation of the WADA Code, BJA Anti-Doping Rules, IBSA Anti-Doping Rules, IJF Anti-Doping Rules and UKAD Rules (as in place from time to time) (or any other applicable anti-doping rules) may only return to competition after they have served their period of ineligibility.
- 8.4 All Athletes must verify that their use of any medication or hormone therapy is not prohibited using GlobalDRO.

## 9. Compliance

- 9.1 BJA may monitor a Transgender Athlete's ongoing compliance with the Eligibility Criteria by any appropriate means, including (where relevant) random or targeted testing of the Transgender Athlete's testosterone level in serum (or plasma) or further assessment. The Transgender Athlete agrees to provide whereabouts information and blood samples for this purpose on request and also agrees that any samples or whereabouts information that they provide for anti-doping purposes and/or any anti-doping data relating to them may also be used for this purpose.
- 9.2 Subject to Applicable Laws, in addition to the general power to monitor continuing compliance with the Eligibility Criteria, BJA may investigate, at any time:
- 9.2.1 whether an Athlete is a Transgender Athlete who needs to establish their eligibility to compete in a particular BJA Competition category in accordance with this Policy; and/or

- 9.2.2 any circumstances that indicate actual or potential non-compliance with this Policy; and/or
- 9.2.3 where the eligibility of an Athlete is questioned and/or disputed by a third party. BJA will work with the Athlete to undertake a sensitive and confidential review of their circumstances and shall have the authority to take all appropriate measures for the determination of the eligibility of the Athlete, if it considers that there are grounds to do so. Such measures may include eligibility verification processes conducted by BJA and/or BJA appointed third parties. BJA will only consider reasonable third-party requests which are submitted in writing, and which BJA considers clearly sets out the grounds upon which the Athlete's eligibility is questioned and/or disputed.
- 9.3 In such cases, if they wish to retain their eligibility to compete in BJA Competitions, the Athlete must cooperate fully and in good faith with that investigation. Where necessary to safeguard the fairness and/or integrity of competition and/or the safety of the competitors, BJA may provisionally suspend the Athlete from competing in BJA Competitions pending resolution of the matter, provided that in such cases all reasonable endeavours will be used to complete the investigation as expeditiously as possible.
- 9.4 Any investigation under Section 9.4 must be initiated in good faith and on reasonable grounds based on information derived from reliable sources, such as (without limitation) information from the affected Athlete, results from a routine pre-participation health examination, or data as to testosterone levels and/or other data obtained from analysis of samples collected for anti-doping purposes.
- 9.5 In addition to the general power to monitor continuing compliance with the Eligibility Criteria, BJA may investigate, at any time any circumstances that indicate actual or potential non-compliance with this Policy by any Athlete (including Transgender Athletes).

## 10. Disciplinary Proceedings and Sanctions

- 10.1 BJA may take disciplinary action against any Athlete, Athlete Support Personnel and/or involved person in accordance with this Policy (as in place from time to time) where:
  - 10.1.1 information that is provided pursuant to this Policy is inaccurate or misleadingly incomplete;
  - 10.1.2 an Athlete competes in a BJA Competition in a category of competition for which they have not satisfied the Eligibility Criteria;
  - 10.1.3 an Athlete fails to cooperate fully and in good faith with efforts to determine compliance with the Eligibility Criteria;
  - 10.1.4 there has been any other breach of or non-compliance by an Athlete with this Policy; or
  - 10.1.5 Athlete Support Personnel and/or involved person such as a Coach, trainer, agent, or other person or entity has been complicit in an Athlete's breach of or non-compliance with this Policy.
- 10.2 In such disciplinary proceedings, the person(s) charged may not challenge the validity of this Policy, or of any decision made under this Policy.
- 10.3 In such disciplinary proceedings, the sanctions to be imposed, depending on all of the circumstances of the case, may include:
  - 10.3.1 a caution, reprimand and/or warning as to future conduct;
  - 10.3.2 the disqualification of individual and/or team results obtained in BJA Competitions, with all resulting consequences, including forfeiture of any medals, ranking points, prize money, or other rewards awarded to the Athlete(s) based on those results;
  - 10.3.3 a specified period of ineligibility to participate in BJA Competitions;
  - 10.3.4 a fine; and/or

- 10.3.5 if the breach involves more than two members of a representative team competing at a BJA Competition(s), or if there are multiple breaches involving such a team, appropriate sanctions on the team (e.g., disqualification of team results; imposition of a period of future ineligibility to participate in BJA Competitions; a fine).

## 11. Athlete Support

- 11.1 Parents, or other persons with parental responsibility for all Athletes aged under 18 (or such younger age if applicable law so dictates) ("**Minor**") understand and agree, in respect of the Minor for which they have legal responsibility, for the Minor as an Athlete to be bound by all aspects of this Policy.
- 11.2 Any individual seeking information on the application of this Policy should contact BJA for assistance at [safeguarding@britishjudo.org.uk](mailto:safeguarding@britishjudo.org.uk).

## 12. Data Protection and Confidentiality

- 12.1 All cases arising under this Policy and in particular all Athlete information provided to BJA under this Policy will be dealt with in strict confidence at all times in accordance with the provisions of Data Protection Legislation and BJA policies as in place from time to time.
- 12.2 So far as is practicable, confidentiality will be maintained at all times in respect of all those involved in any process arising under this Policy unless there is an overriding obligation in the interests of the Athlete and safety for such information to be shared with other interested parties. Any such information shared shall be on a need-to-know basis only.
- 12.3 All medical information and data relating to an Athlete will be treated as sensitive personal information and the Panel will ensure at all times that it is processed as such in accordance with applicable Data Protection Legislation. The information covered by this Section 14.3 will not be used for any purpose not contemplated in this Policy and will not be disclosed to any third party save as is strictly necessary for the effective application and enforcement of this Policy or otherwise as is required by law.
- 12.4 BJA will not comment publicly on the specific facts of a pending or decided case (as opposed to general descriptions of the process and science involved) except in response to public comments attributed to the Athlete involved or their representatives.
- 12.5 Except as permitted under Clauses 12.2 and/or 12.4 above, no person is permitted to publish or circulate any Application, Appeal or decision or comment publicly on any Application, Appeal or decision without the prior written consent of the BJA.
- 12.6 The Panel and Appeal Panel will be required to sign an appropriate conflict of interest declaration and confidentiality undertaking in relation to their work carried out pursuant to this Policy.

## 13. Miscellaneous

- 13.1 In no circumstances will BJA or any of BJA's employees, officers, agents, representatives, or other persons involved in the administration of this Policy be liable in any way for any acts done (or omitted to be done) in good faith in connection with the administration of this Policy.

## 14. Continued Involvement

- 14.1 BJA acknowledges that the application of this Policy means that Transgender Athletes may not be able to compete in the BJA Competition category that best aligns with their Affirmed Gender. Transgender Athletes who exercise the choice not to compete because of these Eligibility Criteria are encouraged to consider participating in Non-Competitive Judo, coaching, officiating, administration, and/or other ways to stay involved with Judo. For more information on how to become involved, please contact Head of Technical and Education [BJA@britishjudo.org.uk](mailto:BJA@britishjudo.org.uk).
- 14.2 Transgender Athletes may also seek to qualify for and compete in events that are organised and sanctioned by bodies other than BJA. BJA does not seek to limit the development by others of opportunities to participate in different competitions.
- 14.3 Transgender Athletes, wishing to obtain a Competitive 1<sup>st</sup> to 5<sup>th</sup> Dan Grade, may apply to the Promotions and Gradings Commission (**P&GC**) for authority to enable an Area Director of

Examiners (**ADOE**), or a Senior Examiner (**SE**) appointed by the ADOE, to carry out a competitive skills assessment using Randori within a club environment.

- Such a randori assessment would be against judoka of a similar size/weight (the current Dan Grade Scheme<sup>1</sup> allows freedom of Randori partners). During the assessment, the ADOE or appointed SE would maintain a written record of ippon scoring waza achieved during each period of Randori.
- On completion of the candidate's assessment, the ADOE will submit a comprehensive report to the P&GC detailing all performances including dates, details of uki (partners) and venues forming the candidate's assessment together with a completed competitive skills examination. The PGC will ratify the Dan Grade promotion.

## **15. Power to Change, Rescind or add to the Provisions of the Policy**

15.1 In the event an issue arises that is not foreseen in this Policy, it will be addressed by BJA in a manner that protects and promotes the objectives identified in this Policy.

15.2 BJA is committed to reviewing this Policy periodically which may be amended from time to time by BJA.

## **16. Laws**

16.1 The laws of England and Wales shall apply to this Policy.

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<sup>1</sup> <https://www.britishjudo.org.uk/get-started/grading/dan-grade-scheme/><sup>12</sup>