

# FREQUENTLY ASKED QUESTIONS (FAQ) FOR CLUBS & COACHES: SUPPORTING TRANS GENDERED MEMBERS IN YOUR CLUB.

'Inclusive, accessible & safe environments for all'

The British Judo Association (BJA) remains committed to being a fully inclusive sport where all genders regularly practise the sport and art of judo together and without separation.

The foundation of BJA Transgender Participation Policy reflects the current guidance which has been produced by the UK Sports Council<sup>1</sup>.

The BJA has adopted a policy on transgender eligibility and participation in competition for two reasons:

- Firstly, to ensure the safety at all times of all competitors whilst remaining a welcoming, inclusive sport to all genders; and.
- Secondly to ensure equal and fair competition in Judo.

The BJA acknowledges that the science, and the legal framework, in this field is developing all the time. There are inherent difficulties in reconciling both inclusion and safety within Judo. The inclusion of transgender athletes in competitions, as in many sports, is not straight forward. Within our commitment to inclusion in Judo we support and promote Transgender Judoka in participating fully in noncompetitive Judo.

As such, the Policy is kept under regular review and is subject to change as developments emerge. Our Policy can be found on BJA website (searching Transgender Participation Policy)

You may be aware of the Supreme Court judgment on the meaning of "sex" and implications in the Equality Act 2010<sup>2</sup>. The judgment has clarified a number of points and provides reassurance that the BJA Policy takes the correct approach. We await the UK Sport Council's further interpretation and guidance, but in the meantime.

The Supreme Court ruled that references to "sex", "man" and "woman" in the Equality Act refer to biological sex (a person's sex at birth) and not to a person's acquired gender, whether such gender is backed up by Gender Recognition Certificate or not. It does <u>not</u> mean that the protections granted to transgender people, or the protected characteristic of "gender reassignment", are in any way watered down or inapplicable.

# A guide to including trans people in Judo.

#### Who are trans people?

<sup>&</sup>lt;sup>1</sup> https://movingtoinclusion.co.uk/wp-content/uploads/2023/07/Guidance-For-Transgender-Inclusion-In-Domestic-Sport-2021.pdf

<sup>&</sup>lt;sup>2</sup> https://commonslibrary.parliament.uk/research-briefings/cbp-10259/

A trans person is someone who feels that the sex or gender they were assigned at birth does not match their self-identified gender. Trans people include:

- those who were assigned male at birth whose gender is female (trans women);
- those who were assigned female at birth whose gender is male (trans men);
- those who do not identify as male or female (non-binary people).

# Question: What good practice should your club to consider?

#### **Good practice considerations:**

- You can't always tell someone's gender just by looking at a person or hearing their voice.
- If you make a mistake or use a term someone doesn't like, apologise, correct yourself and do your best to use their preferred terms in future.
- 'Trans' and 'transgender' are currently widely accepted terms and are the safest terms to use in general documents like posters and policies.
- There is no single 'right' way to describe any individual trans person whatever term that person prefers is the right term to use.
- If someone uses a term you aren't familiar with, just ask them to explain it.
- Avoid collective gendered language such as 'lads', 'ladies' etc.
- Avoid gender-based practices such as lining up boys on the left and girls on the right.

# What does the Law say?

Current laws protect and support trans people in a number of ways. There are two key laws that apply:

- The Gender Recognition Act 2004 enables a trans person to change their legal gender and birth certificate.
- The Equality Act 2010 provides protection against unlawful discrimination and harassment for those with the protected characteristic of 'gender reassignment'. It broadly makes it unlawful to discriminate against or harass someone because of a protected characteristic. The BJA are bound by the Act, alongside all other employers and service providers. People of all ages are protected, regardless of whether they are children or adults. There are nine protected characteristics and one of them is 'gender reassignment'<sup>3</sup>.
- However, as a Gender Affected Activity within s.195 of The Equality Act 2010, Judo will ensure safety & fairness in competition.
- Non-competitive Judo activity, such as randori, can be undertaken in both a safe and fair manner between athletes of different sex (as well as age, size, experience etc) subject to appropriate supervision in club settings.

<b>Ouestion:</b>	How to	tackle	discri	minati	nn?

Good practice considerations:

<sup>&</sup>lt;sup>3</sup> https://www.legislation.gov.uk/ukpga/2010/15/part/2/chapter/1

Firstly, we need to understand what is considered discriminating behaviour. So, what are transphobia, homophobia, biphobia, and sexism?

Sometimes it is difficult to distinguish between transphobia, homophobia and sexism. However, they are all based around gender stereotyping. Please see later in this section where we answer the question: 'How do I tackle gender stereotypes?' As with all abuse, what is most relevant is how someone experiences it. Transphobia, homophobia, biphobia, and sexism are all unacceptable behaviours. At club level, there should be a zero-tolerance approach. There is no place in Judo for 'banter' that demeans someone on the grounds of their sex, sexuality, or gender identity.

Make sure you communicate your inclusive approach to trans people and a zero-tolerance approach to transphobia, homophobia, biphobia, and sexism, as well as ensuring everyone knows how to report concerns. As with all abuse, the most important thing, is how it impacts on those affected by it.

#### Question: What about toilets, changing rooms and showers?

# Single-sex toilets and other facilities

Transgender people should not use facilities provided for the other biological sex as this will mean the facility is no longer a single-sex facility and must therefore be open to all users of the opposite sex.

However, where trans people are not permitted to use single-sex facilities according to their acquired gender or their biological sex, they should not be put in a position where there are no facilities for them to use.

It recommended that where possible, mixed-sex facilities should be provided in addition to single-sex facilities if possible (3)

# **Question:**

# Best Practice Questions – Asking about Sex or Gender Identity for competition entry

The following questions enable individuals to collect data on gender identity in an inclusive way, in line with Stonewall UK guidance.

Advice and further information are available from the <u>Diversity and Inclusion Unit</u>. e.g. 'What best describes your gender?

- Female
- Male
- Prefer to self-describe:
- Prefer not to say'

In some circumstances, it is not possible to follow Queen's best practice due to the nature of the data requirements of external agencies. In these cases, being clear why questions on sex or gender identity have been asked in a particular way, or why limited options are available to the respondent, should be made clear.

You may wish to use alternative questions to supplement the less inclusive or restricted questions required by the external agency.

### Alternative questions might include:

'Do you identify as trans?

- No
- Yes
- Prefer not to say'

'Is your gender identity the same as the sex you were assigned at birth?

### Top tips for including trans participants in your Judo Club.

- 1. Be aware of the language used and ensure its inclusive to everyone.
- 2. Consider using gender neutral language and using individuals' preferred pronouns (she/her/hers, he/him/his, Mx etc.)<sup>4</sup>
- 3. If someone transitions whilst part of your club, ask how they would like to be supported.
- 4. Make every effort to include trans members.
- 5. Make provisions to accommodate everyone where possible, such as reasonable adjustments to facilities such as toilets, changing rooms etc.
- 6. Ensure any competition entry reflects the Judoka affirmed gender as well as their biological sex
- 7. Communicate and make your trans inclusive practices visible.
- 8. Make reporting easy for reporting transphobia as with any other discrimination.
- 9. Challenge gendered stereotypes and gender norms.
- 10. Challenge sexist, transphobic, biphobia and homophobic 'banter' and know how to report it to the BJA: safeguarding@britishjudo.org.uk

# **Organisations for further information & Advice**

Transgender Organisations | The Beaumont Society

The National Gender Charity: sparkle.org.uk

<u>Trans Unite | Find a Transgender Support Group in Your Area</u>

<u>Supreme Court's Transgender Ruling — What it Means for Women's Sport</u>

Please contact <u>safeguarding@britishjudo.org.uk</u> for any further guidance and support

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<sup>&</sup>lt;sup>4</sup> https://www.grammarly.com/blog/language-trends-culture/gender-neutral-language/