

NFAS Transgender Policy

Introduction

The National Field Archery Society (NFAS) is fully committed to the principles of equality of opportunity and is responsible for ensuring that no Members, Directors, Committee Members, volunteers or participants are unlawfully discriminated against because of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, ethnicity, religion or belief, sex and sexual orientation.

It is the responsibility of each individual to treat others with respect, dignity, sensitivity and fairness. Discriminatory, offensive, violent or abusive behaviour or language is unacceptable and any complaints will be acted upon. This document is to be used in conjunction with the NFAS Equality Policy.

Outline

This Policy will:

- ⌘ Set out how the NFAS will deal with the issues facing transgender people seeking to take part in archery and encourage individuals, clubs and other affiliated organisations to greater inclusivity to all those engaged in the sport in a way that is fair to everyone and all those concerned.
- ⌘ Show how the NFAS will demonstrate this inclusivity whilst supporting the NFAS's role to regulate participants and provide fair and safe competition in men's, women's and mixed events.
- ⌘ Build greater understanding amongst the archery community of the issues, needs and rights of transgender people in the sport.

Gender Recognition Act 2004

The Gender Recognition Act 2004 (the "Act") allows transgender people who have taken decisive steps to live fully and permanently in their acquired gender to gain legal recognition in that gender. The Act ensures that transgender people can now take up their fundamental rights including the right to respect for private and family life and be allowed to live free from discrimination. In practical terms, legal recognition will have the effect that, for example, a male-to-female transgender person will be legally recognised as a woman in English law. On the issue of a full Gender Recognition Certificate, the person will be entitled to a new birth certificate reflecting the acquired gender and will be able to marry someone of the opposite gender to his or her acquired gender.

Equality Act 2010

Section 195 of The Equality Act makes specific provision for sports organisations to prohibit or restrict a person whose gender has become the acquired gender under the Act from participating as competitors in an event or events involving a gender-affected sport. A sport is a gender-affected sport if the physical strength, stamina or physique of average persons of one gender would put them at a disadvantage to average persons of the other gender as competitors in events involving the sport. Under current UK legislation, archery is a gender-affected sport and may be regulated.

This has now been given further clarity following the ruling of the UK Supreme Court on the 16th April 2025, in that when this act refers to women, it is referring solely to biological women.

Definitions and Terminology

Transgender person - the term transgender person or trans person are umbrella terms to cover a number of specific terms such as transgender men, transgender women, intersex people, androgyne and polygender people, cross-dressing and transvestite people.

Transgender person - this term refers to someone with the protected characteristic of gender reassignment. The term transgender man describes a female-to male transgender person and transgender woman to describe a male-to-female transgender person. This is not the same as a crossdresser, or transvestite people, nor is it the same as sexual orientation.

Gender dysphoria - the NHS uses the following terms and explanations with regard to gender dysphoria. Gender dysphoria is a condition in which a person feels that there is a mismatch between their biological sex and their gender identity. Biological sex is assigned at birth, depending on the appearance of the infant. Gender identity is the gender that a person 'identifies' with, or feels themselves to be. Gender dysphoria is a recognised condition, for which treatment is sometimes appropriate. It is not a mental illness. Some people with gender dysphoria have a strong and persistent desire to live according to their gender identity, rather than their biological sex and may undergo treatment so that their physical appearance is more consistent with their gender identity.

On average, men are diagnosed with gender dysphoria five times more than women. While gender dysphoria is rare, the number of people being diagnosed with it is increasing due to growing public awareness about the condition.

Affirmed (acquired) gender – the terms 'affirmed' or 'acquired gender' describe the sex that the person has transitioned/is transitioning to as opposed to that which was assigned at birth.

Transphobia - the term 'transphobia' or 'transphobic discrimination' describes discriminatory, abusive or negative language or behaviour that is directed towards anyone who comes under the umbrella term of transgender; in addition it may be towards a transgender person's friend or supporter, or anyone that may be perceived to be a transgender person (whether they are a transgender person or not). The behaviour may include a reluctance or refusal to provide access to services to the same extent as that provided for a non-transgender person.

Gender reassignment is one of a number of protected characteristics defined in the Equality Act 2010 and is the process of transitioning from one sex to another. This legislation (as well as the equality legislation in Northern Ireland) prohibits discrimination against a person who is proposing to undergo, is undergoing or has undergone a process, or part of a process, for the purpose of reassigning their sex.

Gender Recognition Certificate

Gender Recognition is a process which enables transgender people to be legally recognised in their acquired gender. In 2004 the Gender Recognition Act was passed, and it became effective in 2005. Those transgender people who have undergone a permanent change of gender status may endorse their new gender status by obtaining legal recognition in the form of a Gender Recognition Certificate (GRC).

To obtain a Gender Recognition Certificate transgender person may submit an application to the Gender Recognition Panel. Applicants must provide paper evidence to the Panel indicating that they have already changed their name, title and gender role, on a continuous basis, for at least two years, and that they have the intention to live in the altered gender role for the rest of their lives. A medical opinion indicating that the applicant has experienced gender dysphoria is necessary, and some details regarding the nature and dates of treatment where this has been undertaken. However, no surgery is required.

Successful applicants will receive a Gender Recognition Certificate (GRC) and will, from the date of full recognition, acquire all the rights and responsibilities appropriate to a person of his or her acquired gender. In practical terms, legal recognition will have the effect that, for example, a male-to-female transgender person will be legally recognised as a woman in English law. Successful applicants acquire

the new gender status 'for all purposes', entitling them to a new birth certificate reflecting the acquired gender registered under the changed name and title, provided that the birth was registered in the UK.

The GRC has strict privacy provisions which must not be breached by any person acquiring such information, in an 'official capacity'. Disclosure to a third party would be a criminal offence. The Act makes specific provision for sports organisations to prohibit or restrict a person whose gender has become the acquired gender under the Act from participating as competitors in an event or events involving a gender-affected sport. A sport is a gender-affected sport if the physical strength, stamina or physique of average persons of one gender would put them at a disadvantage to average persons of the other gender as competitors in events involving the sport.

Domestic Competition

Following the UK Supreme Court Ruling of the 16th April 2025, that a Gender Recognition Certificate does not change a person's legal sex for the purposes of the Equality Act 2010, NFAS are changing their policy regarding transgender people participating in competitions within the NFAS. With immediate effect the NFAS will have the following shooting categories:-

- Women
- Gents Open

The women's category will only be open to those whose birth sex is female.

All individuals, including transgender people are eligible to compete in the gents open category.

All individuals will be eligible to compete in any mixed-sex competitions.

Transgender female archers will only be permitted to compete in the women's category if they are shooting non-competitively.

General Recommendations

The event organiser should work with the individual or individuals to accommodate their participation, whilst respecting their privacy at all times. Clubs and event organisers, when dealing with a request from a transgender person to compete, will:

- ④ Treat the individual with dignity and respect.
- ④ Explain the NFAS policy and procedure and ask their view on how to proceed.
- ④ Respect the private and confidential nature of the individual's situation.
- ④ Agree with the individual what information is to be shared with others and if this is necessary how it should be shared. In general, no information should be shared by the club unless they have express permission from the transgender person.
- ④ Encourage the individual to feedback any inappropriate language or behaviour from other members or spectators so that it can be dealt with.

Roles and Responsibilities

The NFAS Committee is accountable for the adoption, implementation and monitoring of this policy. Day to day management will be the responsibility of the President of the NFAS. The President may nominate certain responsibilities to staff that have sufficient seniority and knowledge of the issue to manage it appropriately.

Determining Eligibility and Case Management

All enquiries should in the first instance, be passed to the President of the NFAS

- ④ All documentation revealing information about a person's past or present gender reassignment status must be managed in accordance with the NFAS's policies with regard to the management

of sensitive and confidential information and in line with the Data Protection Act 1998 and, where relevant, the Gender Recognition Act 2004.

- ⌘ Anyone involved should understand the confidentiality obligations that are associated with handling such a matter.
- ⌘ The nominated person at the NFAS should undertake all communication with the individual concerned only sharing information with members', e.g. clubs, on a 'needs-led' basis allowing them to manage player registration.
- ⌘ An appeals process should be established for decisions made in relation to any individual.

Privacy

The NFAS (and its officers and staff) and any organisers of NFAS event(s) shall not disclose any information obtained from an individual in accordance with this policy unless:

- ⌘ The disclosure of that information does not enable the individual competitor to be identified;
- ⌘ The individual competitor to whom the information relates has agreed to its disclosure;
- ⌘ or it is under a legal duty to disclose the information.

Complaints

Complaints will only be accepted in relation to matters within the NFAS's jurisdiction. Complaints shall be treated seriously, confidentially and respectfully, and will be managed under the NFAS complaints procedure outlined in the NFAS Equality Policy.

Appropriate disciplinary action may be taken against any NFAS Member who violates this Equality Policy under the relevant NFAS disciplinary procedures.

An individual raising a grievance or complaint will not be penalised for doing so unless it is untrue and not made in good faith.

As with all grievances, complaints and disciplinary procedures, there will be the right of appeal.

Appeal

Appeals will be accepted only in relation to matters within the NFAS's jurisdiction. Any individual whose participation is refused shall have the right to appeal to an NFAS appeals panel established for the purpose.

Qualifications and Awards

There will no change in the status of an individual who, having achieved qualifications, such as those for coaching and officiating, may be retained in the acquired gender.

Monitoring, Evaluation and Review

The NFAS Gender Reassignment Policy will remain in force until it is amended, replaced or withdrawn. The NFAS will monitor and evaluate this policy regularly and this includes any complaints or appeals by transgender people and their involvement in archery in all capacities.

Guidance and Legislation

The practices and procedures within this policy and documentation are based on the principles contained within UK legislation and IOC guidance in as far as gender affected sports are concerned and take the following into consideration.

- ⌘ UK Supreme Court Ruling of 16th April 2025
- ⌘ Equality Act 2010
- ⌘ Data Protection Act 1998
- ⌘ Gender Recognition Act 2004