



Transgender  
Equality  
Network  
Ireland



# Transgender & Intersex Sports Inclusion

POLICY GUIDE



An Roinn Leanaí, Comhionannais,  
Míchumais, Lánpháirtíochta agus Óige  
Department of Children, Equality,  
Disability, Integration and Youth



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## INTRODUCTION

Despite significant progress in the past years, Ireland remains a place where it is difficult for transgender people to lead safe, healthy and integrated lives. As Ireland's only transgender representative organisation, TENI is dedicated to ending transphobia, including stigma, discrimination and inequality. TENI engages in activities that promote the equality and well-being of transgender people in Ireland. We work nationally in six main areas: healthcare, employment, education, family, legislation, and sports.

Transgender participation in sport has garnered significant attention in the media, in politics, and in social discourse in recent years. Within media reporting, public and political discourse, there is significant misinformation regarding transgender people, transgender participation in sport, and the realities of being transgender (in Ireland and elsewhere). Through this document we aim to provide background on the research and policy landscape, to highlight principles underpinning this area, and to outline potential policy approaches.

TENI and our partners are committed to creating sporting environments in which all people, including those with variations in sex characteristics, can participate fully, safely, and with dignity. Transgender and intersex inclusion is a vital part of ensuring fairness, equality, and diversity in sport. Transgender and intersex athletes often face unique barriers that can limit their ability to participate and thrive in sport. These barriers include restrictive eligibility criteria, compulsory medical examinations, and stigma or misunderstanding from others.

This policy guide was developed by TENI with support of the Department Children, Equality, Disability, Integration and Youth. The contents of this policy guide reflect the views and expertise of TENI and do not represent official government policy or guidance.

The aim of this policy guide is to offer sporting bodies a principled approach to develop a transgender and intersex sports inclusion policy for their sport. Sports bodies should also consider particular ethical, social, cultural and legal aspects that may be relevant in their context. This guide is aimed at sports bodies in both the Republic of Ireland and Northern Ireland.

## TERMINOLOGY

**Here is a list of terms to help guide you in understanding some of the things you may encounter when engaging with transgender and intersex athletes. This list is not exhaustive but is meant to be a gateway for you to explore further.**

### **Assigned Sex:**

The designation of a person at birth as either male or female, based on biology and anatomy. You might encounter terms such as AFAB (Assigned Female At Birth) and AMAB (Assigned Male At Birth).

### **Cis/Cisgender:**

Someone whose gender identity aligns with the sex they were assigned at birth.

### **Deadname (or birth name, or former name):**

Terms used by many transgender people to refer to the name assigned to them at birth that they no longer use. It is important that you use care and respect towards a person's name, and never use a person's previous name without their consent.

### **Difference in Sex Development (DSD):**

A medical term sometimes used to describe intersex variations. Not all intersex people identify with this term, and many prefer "intersex" or their specific variation name.

### **FLINTA:**

An acronym for Female, Lesbian, Intersex, Non-Binary, Transgender, and Agender people. This is a relatively new term used to define gendered spaces or gender categories in some contexts, i.e. a FLINTA book club, a FLINTA safe space.

### **Gender:**

Refers to the characteristics of men, women, and non-binary people that are socially and culturally specific. This includes social norms, behaviours, and roles that can be described as masculine, feminine, and androgynous.

### **Gender Expression:**

The external manifestation of a person's gender identity. Gender can be expressed through mannerisms, dress, accessories, hair and make up, physical characteristics, social interactions and speech patterns. These cues tend to be socially coded as masculine or feminine, although what is considered masculine or feminine changes over time and varies by culture.

### **Gender Identity:**

The personal sense of one's own gender (the knowledge that you know you are a man/woman/non-binary). A person's gender may or may not correspond to the sex they were assigned at birth. Unlike gender expression, gender identity is not visible to others.

### **Gender Dysphoria:**

Distress caused by a mismatch between someone's gender and their sex assigned at birth or how they are, or feel they are perceived. Some but not all trans people experience gender dysphoria.

**Intersex:**

An umbrella term for people born with physical sex characteristics (such as chromosomes, hormones, reproductive or sexual anatomy) that do not fit typical definitions of male or female. Intersex variations are natural, and may be apparent at birth, become visible at puberty, or never be physically visible. Intersex relates to a person's physical traits, not their gender identity. An intersex person may identify as male, female, non-binary, or another gender.

**Non-Binary:**

An umbrella term covering a wide range of genders which are neither male or female.

**Out:**

The state of a person being open about a particular aspect of their identity either in general, or with a particular group of people.

**Outing:**

The act of revealing an aspect of somebody's identity to somebody they are not already out to.

**Pronouns:**

Used to refer to a person other than their name (e.g. he/him, she/her, they/them). If you are unsure of someone's pronouns, just ask. Apologise if you get it wrong, correct yourself, and then move on.

**Sex Characteristics:**

Physical traits related to sex, including genitalia, reproductive organs, chromosomes, hormone levels, and secondary sex characteristics (such as voice pitch or body hair).

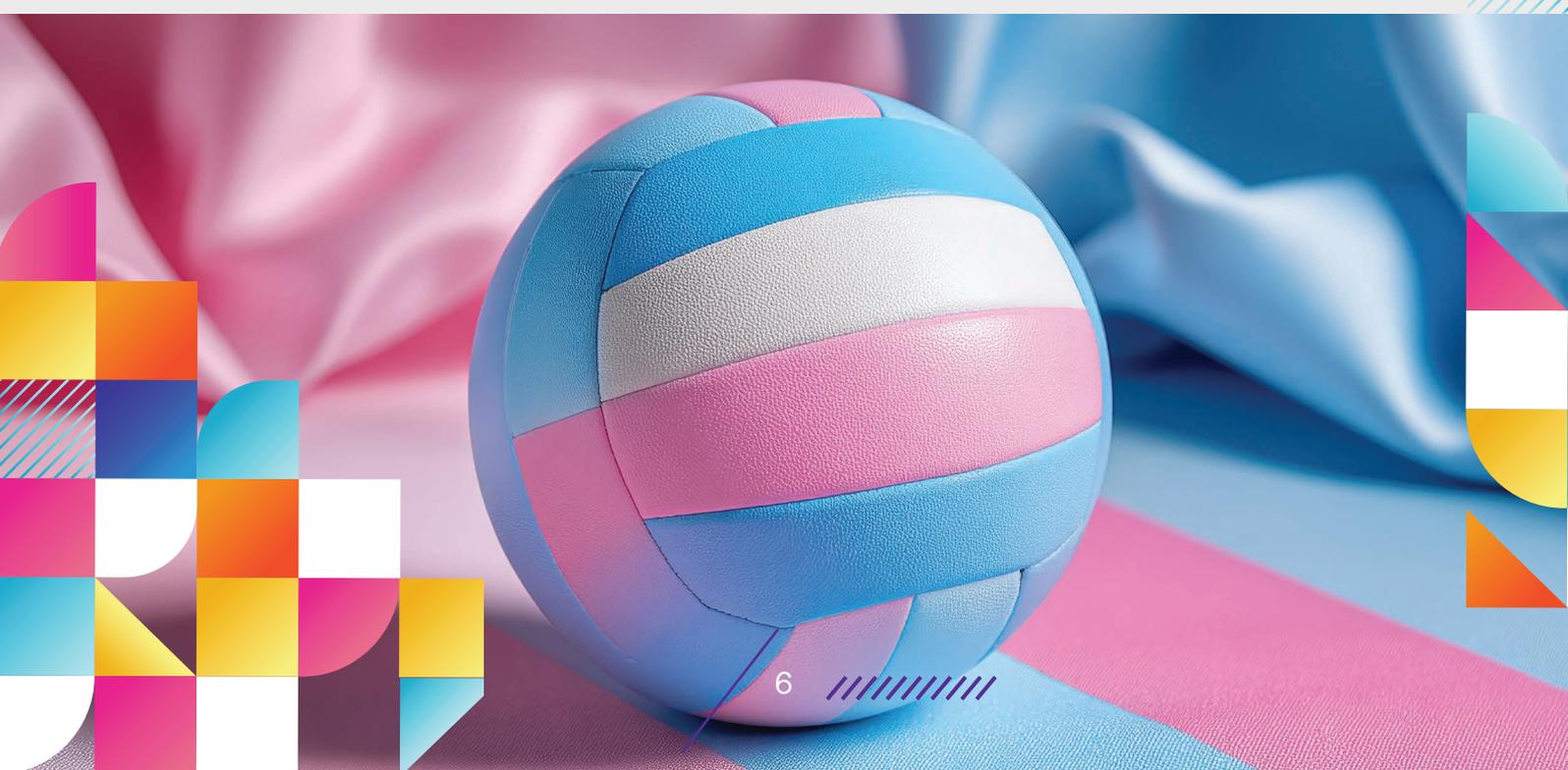
**Sexuality:**

A person's sexual feelings, thoughts, attractions, and behaviours towards other people.

**Trans/Transgender:** An umbrella term for those whose gender does not align with the sex they were assigned at birth.

**TIN:**

An acronym for Transgender, Intersex, and Non-Binary people.



## BACKGROUND

Sport is for everyone, and access to sport is recognised as a fundamental right under the Revised European Sports Charter. Sport contributes to individual health, wellbeing, and quality of life. Through sport we develop our physical abilities, socialise, and participate in community life. Some sports, such as swimming, are also important life skills that we all need.

Access to sport participation and competition must be understood within a sociocultural framework, recognising that some people have more access and opportunities within sport due to gender, age, race, economic status, ability, and other factors including working and caring responsibilities, geographical location, and health status. Transgender and intersex people typically are less likely to participate in sport, less likely to continue in sport, and are more likely to face harassment and bullying from others within a given sport.<sup>1</sup>

### Being Transgender in Ireland

There are no population-level studies of how common it is to be transgender in Ireland. Other countries that have included questions about gender identity in censuses or related tools have found 1% (US)<sup>1</sup>, 0.44% (Scotland)<sup>3</sup>, 0.33% (Canada)<sup>4</sup>, and 0.5% (England and Wales)<sup>5</sup>. However, the UK Office for National Statistics advised caution in interpreting this data due to potential errors in interpretation.<sup>6</sup> We also note that as census forms are filled out as households, this may result in underreporting of transgender (and broader LGB+) identities given that individuals may not be 'out' to their households. Recognising the limitations in the data, we can still assume that transgender people represent an extreme minority, and that it is to be expected that there may only be a handful of transgender players in any given sport.

Transgender rights are enshrined in Irish legislation through the Gender Recognition Act 2015, Ireland's equality legislation, hate crime legislation, and others as relevant. The Gender Recognition Act recognises a change in a transgender person's legal gender, and provides a mechanism through which transgender people can update birth certificates, passports, and other documents to reflect a change in gender. See 'Relevant Irish legislation' section for more information.

Transgender people experience widespread discrimination, inequality, and exclusion from access

<sup>1</sup> James, S. E., Herman, J. L., Rankin, S., Keisling, M., Mottet, L., & Anafi, M. The Report of the 2015 U.S. Transgender Survey. (National Center for Transgender Equality, 2016). <https://transequality.org/sites/default/files/docs/usts/USTS-Full-Report-Dec17.pdf>

<sup>2</sup> "What percentage of the US population is transgender?", USA Facts, 12/02/2025. <https://usafacts.org/articles/what-percentage-of-the-us-population-is-transgender/>

<sup>3</sup> "Scotland's Census 2022 - Sexual orientation and trans status or history", Scotland's Census, 27/06/2024. <https://www.scotlandscensus.gov.uk/2022-reports/scotland-s-census-2022-sexual-orientation-and-trans-status-or-history/>

<sup>4</sup> "Canada is the first country to provide census data on transgender and non-binary people," Statistics Canada, 27/04/2022. <https://www150.statcan.gc.ca/n1/daily-quotidien/220427/dq220427b-eng.htm>

<sup>5</sup> "Gender identity, England and Wales: Census 2021", Office for National Statistics, 06/01/2023. <https://www.ons.gov.uk/peoplepopulationandcommunity/culturalidentity/genderidentity/bulletins/genderidentityenglandandwales/census2021>

<sup>6</sup> "Census 2021 gender identity estimates for England and Wales, additional guidance on uncertainty and appropriate use", Office for National Statistics, 26/03/2025. <https://www.ons.gov.uk/peoplepopulationandcommunity/culturalidentity/genderidentity/articles/census2021genderidentityestimatesforenglandandwalesadditionalguidanceonuncertaintyandappropriateuse/2025-03-26>

to housing, employment, healthcare, and public space.<sup>7</sup> In Ireland, transgender people report worse mental and physical health outcomes than cisgender people, and the Irish healthcare system is failing to adequately meet the needs of our community, particularly in relation to access to gender-affirming care.<sup>8</sup> Transgender people currently face a ten-year waitlist to access the only gender clinic in Ireland,<sup>9</sup> report negative treatment and abuse within that clinic,<sup>10</sup> and have no access to most forms of gender-affirming surgery in Ireland. These are important considerations when deciding on a policy approach, as outlined later in this document.

Transgender people face elevated rates of violence, particularly sexual violence, public harassment, and murder.<sup>11</sup> These vulnerabilities are further amplified for transgender people of colour, poor transgender people, transgender women, and transgender migrants. Countries like the United Kingdom and United States, previously considered safe countries for LGBTQI+ people, are stripping transgender people's rights to private life, to human dignity, and to safe participation in public life through federal and state policies (in the US)<sup>12</sup> and through the April 2025 UK Supreme Court ruling removing the rights of transgender people to access single-sex spaces.<sup>13</sup> As such, policy decisions made by US and UK sporting bodies operate in a significantly different legal and political environment than the Irish context.

## Transgender Participation in Sport: Research

Research in this area has been systematically reviewed by E-Alliance in a report commissioned by the Canadian Centre for Ethics in Sport. The review examined all research into transgender participation in sport conducted 2011-2021, and found that:

- Research in this area emphasises biological differences between transgender people and cisgender people;
- Research in this area gives little to no recognition of the differing sociocultural factors for transgender people;
- Research in this area is frequently methodologically flawed;
- And that sports policy has operated to exclude or restrict transgender people's access to sport.<sup>14</sup>

<sup>7</sup> James, et al, The Report of the 2015 U.S. Transgender Survey. (National Center for Transgender Equality, 2016). <https://transequality.org/sites/default/files/docs/usts/USTS-Full-Report-Dec17.pdf>

<sup>8</sup> Higgins A. et al., Being LGBTQI+ in Ireland: The National Study on the Mental Health and Wellbeing of the LGBTQI+ Communities in Ireland (BelongTo, 2024).

<sup>9</sup> Black, J., 'Over 2,000 people waiting for trans healthcare in Ireland', The Beacon, 28th January 2025. <https://the-beacon.ie/2025/01/28/over-2000-people-waiting-for-trans-healthcare-in-ireland/>

<sup>10</sup> Carroll, C., "It left me traumatised": the barriers to accessing transgender healthcare in Ireland', The Journal, 30th April 2025. <https://www.thejournal.ie/investigates-national-gender-service-6690859-Apr2025/>

<sup>11</sup> James et al, Report of the 2015 US Transgender Study.

<sup>12</sup> 'The ACLU is tracking anti-LGBTQ bills in the US', ACLU, updated weekly, accessed 3rd September 2025. <https://www.aclu.org/legislative-attacks-on-lgbtq-rights-2025>

<sup>13</sup> 'UK: Court Ruling Threatens Trans People', Human Rights Watch, 9th May 2025. <https://www.hrw.org/news/2025/05/09/uk-court-ruling-threatens-trans-people>

<sup>14</sup> E-Alliance, Transgender women athletes and elite sport: A scientific review. (Canadian Centre For Ethics In Sport, 2022). <https://cces.ca/transgender-women-athletes-and-elite-sport-scientific-review>

An earlier systematic review is instructive here too. In 2017 a systematic review of research and sport policies relating to transgender participation found that:

- There is no direct and consistent research to suggest that either transgender women or transgender men have an athletic advantage in sport;
- The majority of sport policies are discriminatory against transgender people;
- The majority of transgender people have a negative experience when engaging in competitive sports and physical activity.<sup>15</sup>

## Methodological Issues

E-Alliance found that research in this field is frequently methodologically flawed. Studies often struggle to recruit participants who are both transgender and athletes, and therefore rely on data from cisgender or sedentary participants; most studies did not adjust for factors such as height or lean body mass; and most studies on testosterone involve cisgender individuals using performance-enhancing drugs. It is common for research in this area to use cisgender men as a stand-in for transgender women, for example. This disregards the many differences between transgender and cisgender people - social and cultural differences in access to sport, health and wellbeing; and entirely ignores the effects of medical transition on the physique and athletic abilities of transgender people.

## Biological and Physical Considerations

On average, cisgender men are bigger, taller, and stronger than cisgender women. This does not mean that all cisgender men are bigger, taller, or stronger than all cisgender women. Similarly, the average transgender woman is likely to be taller than some cisgender women and shorter than others; and the same can be said for transgender men. As a tool to distinguish between people, gender tends to work for large averages, but not always for individuals.

Generally, men outperform women in most sports in which the outcome is affected by physical size, strength, speed or endurance. This difference can be measured in sports which record objective outcomes, such as race times in swimming/running, as well as explosive movement activities such as jumping, lifting or throwing.<sup>16</sup> It is a common perception that if someone is assigned male at birth and produces testosterone they will inherently have a competitive advantage over others who do not - however, this has not been borne out in research.<sup>17</sup> Limited research comparing cisgender and transgender women's physicality has found that transgender women lie within the average female ranges for women.<sup>18</sup>

Concerns relating to physical differences are levied against transgender women, intersex people and people with differences in sex development (DSD) participating and competing in gendered sports categories.<sup>19</sup> Caster Semenya, Dutee Chand, and other transgender and intersex athletes have had to fight for their inclusion in their respective sports.<sup>20</sup>

<sup>15</sup> Jones, B.A., Arcelus, J., Bouman, W.P. and Haycraft, E., "Sport and transgender people: a systematic review of the literature relating to sport participation and competitive sport policies," *Sports medicine*, 47, (2017) pp.701-716. <https://doi.org/10.1007/s40279-016-0621-y>

<sup>16</sup> "Guidance for Transgender and Non-Binary Inclusion in Sport", Sport Ireland, March 28, 2024.

<sup>17</sup> Jones et al, 'Sport and Transgender People', p. 713.

<sup>18</sup> Hamilton, Blair R., Giscard Lima, James Barrett, Leighton Seal, Alexander Kolliari-Turner, Guan Wang, Antonia Karanikolou et al. "Integrating transwomen and female athletes with differences of sex development (DSD) into elite competition: the FIMS 2021 consensus statement." *Sports Medicine* 51, no. 7 (2021): 1401-1415. <https://doi.org/10.1007/s40279-021-01451-8>

<sup>19</sup> Hamilton et al, "Integrating transwomen and female athletes with differences of sex development (DSD) into elite competition".

<sup>20</sup> Cooper, J. 'Fair competition and inclusion in sport: Avoiding the marginalisation of intersex and trans women athletes'. *Philosophies*, 8(2), (2023), 28. <https://doi.org/10.3390/philosophies8020028>

While there is limited evidence on the impact of testosterone suppression on transgender women's athletic performance, available evidence indicates that transgender women with adequately suppressed testosterone have no clear biological advantages over cisgender women in elite sport.<sup>21</sup> Even if transgender women retain height and size advantages after 12 months, there is no evidence that this translates to any performance advantage as compared to elite cis-women athletes of similar size and height.<sup>22</sup>

## Social and Cultural Considerations

Alongside physical and biological factors, social, cultural and economic contexts often function as key metrics of success in sport. Access to training and infrastructure, nutrition, time to train, acceptance and inclusion within club culture, the presence or absence of violence, discrimination and harassment, quality of training opportunities, and absence of other duties such as caring also contribute to an individual's participation and success within sport. Other key social factors include the undervaluation of women's sports relative to men's, resource allocation to given sports and to categories within given sports, and differing social and cultural value placed on different sports in Ireland.

Both systematic reviews confirm that transgender people experience significant and often hidden barriers to participating in sport, including exclusionary policies, transphobic culture within clubs, discrimination and harassment from team members, opponents and the public.

These experiences are often ignored or minimised within research in this area, with studies tending to highlight biomedical differences between transgender and cisgender people and obscuring the additional sociocultural barriers that transgender people encounter in sport. Perceptions that transgender people have an 'unfair' advantage over cisgender people in a gendered competition also tend to ignore social barriers. These must be accounted for in an inclusion policy to accurately and sensitively attend to the real lives of transgender people in Ireland.

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<sup>21</sup> Pitsiladis, Y., Harper, J., Betancourt, J.O., Martinez-Patino, M.J., Parisi, A., Wang, G. and Pigozzi, F. 'Beyond fairness: the biology of inclusion for transgender and intersex athletes', *Current sports medicine reports*, 15(6), (2016) pp.386-388. <https://doi.org/10.1080/00948705.2016.1157485>

<sup>22</sup> E-Alliance, *Transgender women athletes and elite sport*, p. 5.

## Transgender Experiences in Sport

A 2017 study explored the personal experiences of transgender people participating in sport, and found four interconnected themes.<sup>23</sup>

- 1) Intimidating nature of changing/locker rooms - feelings of anxiety having to “fit in” in the gendered changing rooms, fearing how other people might react seeing them change, and if the person had not yet socially transitioned, they were required to use the changing room based on their sex assigned at birth.

**I got to the stage I wouldn't, couldn't go to the gym anymore because I felt I was violating everybody else in the changing room 'cause I'm a guy and like everybody else is a woman.**

[PAUL, TRANS MAN]<sup>24</sup>

- 2) Negative sports experiences from school - feeling alienated from team sports, having to fit into gender stereotypes and expectations of body “normality”, and the negative role teachers played in shaping and enforcing exclusionary sports environments.

**One of my very early memories from school is asking the headmaster if I could play netball with the girls rather than football with the boys and it was met with a rather curt refusal, a very intense refusal. That established very early on in my life that what I was feeling inside was wrong.**

[JOANNE, TRANS WOMAN]<sup>25</sup>

- 3) Difficulties of appearing in public - feelings of fear and marginalisation for simply walking in public, fear of being publicly “outed” and being treated differently, and fear of socialising in a group due to the belief that being together made their difference more noticeable.

<sup>23</sup>Hargie, O. D. W., David H. M., Somerville, I. A. J., “People have a knack of making you feel excluded if they catch on to your difference”: Transgender experiences of exclusion in sport,” *International Review for the Sociology of Sport* 52, no. 2 (2017): 223-239. DOI:10.1177/1012690215583283

<sup>24</sup>Hargie et al., “People have a knack”, p. 7.

<sup>25</sup>Hargie et al., “People have a knack”, p. 9.

**People have a knack of making you feel excluded if they catch on to your difference. [SANDRA, TRANS WOMAN] <sup>26</sup>**

- 4) Impact of their exclusion from sport - trans people reported widespread embarrassment, complaints, or bans while trying to play on gendered sports teams. They also reported negative social and psychological experiences in terms of socialising and forming relationships, and lower income levels and increased costs associated with transitioning meant that taking part in sports was a lower priority. One of the participants spoke about how she was forced to give up her dance classes, which she had been pursuing for 14 years, after she made it known to people that she would be attending as a woman in future.

**People are saying, 'Go for it, If people can't handle you, that's their problem'. But they're not me. They're not the ones standing there when someone's saying 'Sorry I'm going to have to ask you to leave the class'. They're not the ones suffering the humiliation.**

[DANIELLE, TRANS WOMAN] <sup>27</sup>

Being able to access sport can allow transgender and intersex people to develop their sense of self and the wider feeling of belonging to a community. To support the development of this guide, we have highlighted the voices of trans people who take part in sports in Ireland and an intersex athlete from Uganda experience in taking part in athletics. Here is part of what they shared about their experiences of being involved in sports:

**I came out as a trans woman in college in my 20s, – I wanted to play basketball again and I tried to join a team but the problem was that I didn't want to play with the guys, but do I play with the girls' team? Even if it's a sport that you enjoy, when you hit 18 and leave school, you suddenly have to pick which team you're on. My school team was really good, we'd go to the All-Irelands every year. But once I got to college, everything got harder. It was especially difficult to figure out the locker rooms after I came out. I stopped playing because I'd need to shower after a game before I got on the bus back home to Kildare. It's so much easier with [Shamrock Sióga], there's a sense of safety.**

ALICE [TRANS WOMAN] <sup>28</sup>

<sup>26</sup> Hargie et al., "People have a knack", p. 10.

<sup>27</sup> Hargie et al., "People have a knack", p. 10.

<sup>28</sup> Riaz, A., "As a trans man, I didn't know where to go or which team to play for – Ireland's first LGBTQ+ basketball team is trying to make sports a safe space".

As a trans man, I didn't know where to go and which team to play for. There was a lack of safety for the community in most of these spaces – I was playing sports from a very young age – I played GAA, soccer, basketball and I swam. But as I grew older and grew more into my trans identity, I felt there was nowhere for me to go where my body fit in. So when I entered puberty, I just stopped playing any sport. There are LGBTQ+ clubs in America and England but we had nothing like that here. It was only recently that I started seeing some representation in other sports – Na Gaeil Aeracha for GAA and the running club Fronrunners. So knowing that there were people before me who loved a sport enough to build a community around it, I decided to do the same [with Shamrock Sióga]. Regardless of your opinion about queer people in sports, I think you have to acknowledge that people have the right to play sports and meet other people like them, regardless of who they are.

FIONN [TRANS MAN]<sup>29</sup>

I was on the women's team until my early 20s. I left because I was figuring out who I was. When I decided to play again, I was like, where do I go? Yeah, it's a women's team but I'm not a woman. You can't play with the fellas, you can't play with the girls, what am I supposed to do? I came out when I was really young and there was really no space for me as a non-binary person. You're in limbo. I love [basketball] so much but there was nowhere for me. I've always been part of a team and that kind of community has always been important. It's really healing to have finally found a space where I can be exactly who I am, with a team of people just like me. Being in a community like this and just walking into a locker room and changing freely is such a lovely feeling, it's what we didn't have for so long.

JESS [NON-BINARY PERSON]<sup>30</sup>

<sup>29</sup> Riaz, A., "As a trans man, I didn't know where to go or which team to play for' – Ireland's first LGBTQ+ basketball team is trying to make sports a safe space", Irish Independent, June 25, 2024, <https://www.independent.ie/life/as-a-trans-man-i-didnt-know-where-to-go-or-which-team-to-play-for-irelands-first-lgbtq-basketball-team-is-trying-to-make-sports-a-safe-space/a2022585621.html>

<sup>30</sup> Riaz, A., "As a trans man, I didn't know where to go or which team to play for' – Ireland's first LGBTQ+ basketball team is trying to make sports a safe space".

My manager told me, “You know what? You can’t be allowed to go for that competition [...] They said, ‘You need to get medication. We need to lower your testosterone levels’. [...] I had one decision, of doing what they wanted, because I love this sport. [...] They were seeing me like an abnormal person, like, if you go looking for a job. So it was really, really hard. I didn’t have anyone to talk to, even my parents. No one. [...] There are very many other athletes who are like me. I don’t want them also to go such situation which I went through. That’s one of the reasons why I came out and talked about it. [...] What I can say about that is, like, let them take the people as they were, as they were born, as they were created.

ANNET NEGESA (INTERSEX WOMAN, FORMER MIDDLE DISTANCE RUNNER)<sup>31</sup>

<sup>31</sup> Riaz, A., “As a trans man, I didn’t know where to go or which team to play for’ – Ireland’s first LGBTQ+ basketball team is trying to make sports a safe space”.

## Intersex Experiences in Sport

Intersex athletes face similar barriers as the transgender community in order to access sports, such as:

- Policy Barriers - Eligibility restrictions, hormone level thresholds, or requirements to undergo medical testing to compete.
- Social & Cultural Barriers - Stereotyping, stigma, exclusion from teams, or a lack of awareness among peers, coaches, and officials.
- Privacy Risks - Unwanted disclosure (“outing”) of medical or personal information.
- Psychological Impact - Stress, anxiety, or reduced confidence caused by discrimination or exclusion.

These barriers can result in reduced participation, early drop-out from sport, and missed opportunities for personal, social, and professional development.

## LGBTQ+ Young People in Sports

For a number of people, their first entry into sports is through schools. In 2022, Belong To conducted the School Climate Survey to understand the lived experiences of LGBTQ+ youth in schools in the Republic of Ireland.<sup>32</sup> The key findings from the survey highlighted a number of issues within the school environment. From a sample size of 1,208 LGBTQ+ young people:



of LGBTQ+ students feel unsafe at school.



of LGBTQ+ students hear homophobic remarks from other students.



of LGBTQ+ students hear homophobic remarks from school staff.

- 1 in 3 LGBTQ+ students skip school to avoid negative treatment because of them being LGBTQ+.
- 1 in 10 LGBTQ+ students are unsure they will complete the Leaving Certificate.

<sup>32</sup> “Why intersex athlete Annete Negesa is telling her story”, The Long Game Podcast, February 1, 2022. Belong To, School Climate Survey 2022: Key Findings, (BelongTo, 2022).

- LGBTQ+ students avoid certain spaces and activities due to safety concerns:



Some of these mental health factors can be compounded by an increasing awareness of gender difference through the introduction of gender segregation into young people’s lives at this time, for instance through sports. This can have negative mental health effects and can cause young transgender and gender-diverse people to drop out of sports.<sup>33</sup>

### Sport Policy Frameworks

Most sports use gender categories in competition, and some also in training. There are three core approaches to transgender participation in gendered categories:

1. Transgender people participate in the category most aligned with their gender identity;
2. Transgender people participate in the category most aligned with their gender identity if they meet given eligibility criteria;
3. Expand gender categories to include an ‘open’ or mixed category;

Traditionally, sports have been categorised based on the athlete’s sex assigned at birth. Restricting athletes to gender categories based on sex is harmful towards gender diverse athletes, as it disregards and attempts to negate the lived gendered experience of transgender people. This approach suggests that transgender men, who may be on testosterone, compete against cisgender women. However, the use of testosterone, at any time, will mean an athlete is not eligible for the female category, so this approach constitutes an effective ban for transgender men taking testosterone from the sport. Similarly this approach requires transgender women, who may be on oestrogen, to compete against cisgender men, who will have an advantage over them.

The latest developments regarding intersex athletes have been centered around the tightening of regulations and eligibility for women’s sports, particularly at elite and international levels. Some International Federations have recently introduced a genetic test (via cheek swab) for athletes wishing to compete in the women’s category at international competitions. This test will check for the presence of the SRY gene, which typically indicates a Y chromosome, as a “highly accurate proxy for biological sex”.<sup>34</sup> This would require all who wish to compete in the female category to undergo the

<sup>33</sup> Hargie et al, “People have a knack”, p. 6.

<sup>34</sup> “World Athletics introduces SRY gene test for athletes wishing to compete in the female category”, World Athletics, 30th July 2025. <https://worldathletics.org/news/press-releases/sry-gene-test-athletes-female-category>

swab test and possibly additional hormone tests. This has been seen to further restrict or possibly exclude transgender women and intersex people from women's sports categories at the elite level. The framework centres around a "biological exclusive" definition of the female category, making it harder for transgender women and intersex people to participate without undergoing stringent and potentially invasive verification procedures. These regulations disproportionately impact athletes with sex variations and raise concerns about privacy, dignity, and medicalisation of intersex bodies.

Restricting categories to biological sex is not recommended and is fundamentally incompatible with principles of dignity, equality, and inclusion. This guide will explore more inclusive, welcoming, and equitable approaches to transgender and intersex participation in sport.

**We believe that everyone should have an equal opportunity to experience the benefits of sport and healthy activities. All people, regardless of identity, expression, or sex characteristics, should be able to participate in sport.**



## RELEVANT IRISH LEGISLATION

In this section we outline some legislation relevant to the matter of transgender and intersex inclusion in sport. It is important to reiterate that this guide does not constitute legal advice. Any sports body that plans to develop a policy in this area must seek its own legal advice.

### Gender Recognition Act 2015

The Gender Recognition Act 2015 establishes the mechanism by which some transgender people can change their legal names and legal genders, and then have this reflected on birth certificates, passports, driving licences and other legal documents. Once a gender recognition certificate (GRC) has been executed, the new gender becomes the individual's legal gender for all purposes, and the individual can apply for a new birth certificate and passport with their new name and gender marker. Confidentiality is built into the Act, which provides that no one can be required to show a GRC to prove their identity.

Legal gender recognition is limited to male and female genders. Currently, Ireland has no provision for a legal non-binary gender and non-binary people do not have access to affirming identity documents.

The right to access legal gender recognition under the Act does not apply to people under the age of 16. Young people aged 16 and 17 can access legal gender recognition through the Act, but the process involves:

- one form that need to be signed by a GP,
- one form signed by either a psychiatrist or an endocrinologist,
- a court order from Family Court.

Due to the current process for under 18s, very few young people have accessed legal gender recognition under the Act.

### Deed Poll

The Deed Poll process allows individuals to change their legal name and to have this reflected on all legal documents immediately, other than passports. This process can be helpful for people who want their legal documents to reflect a different name but do not want to change their legal gender, i.e. some non-binary people.

Changing a name on a passport (other than with a gender recognition certificate, marriage or divorce certificate) requires proof of use of the name for two years. For example, individuals who execute a deed poll to change their names will be able to update a driving licence immediately but will have to wait two years to change the name on their passport.

## Equal Status Acts 2000-2018

The Equal Status Acts prohibit discrimination or differential treatment on the basis of nine grounds of equality (gender, marital status, family status, age, disability, sexual orientation, race, religion, and membership of the Traveller community). As noted by the Irish Human Rights and Equality Commission (IHREC), EU law requires that the prohibition of discrimination on the basis of gender extends to the protection of transgender and intersex people, and it has been interpreted this way in relevant case law.<sup>35</sup>

## Exemptions under the Equal Status Acts

The Equal Status Acts specifies certain situations where the prohibition of discrimination does not apply. Some of these exemptions relate to all of the nine grounds while others may relate to specific grounds, e.g. gender.

For example, the prohibition on gender based discrimination does not apply for single-sex primary and secondary schools and any school that is established to train ministers of a religion, in relation to admissions only.

In relation to sport, the prohibition on discrimination on the grounds of gender, age, disability, or nationality does not apply in relation to the provision or organisation of sporting facilities or sporting events but only if the differences are *reasonably necessary* (having regard to the nature of the facilities or events) *and are relevant*.

## Sport Ireland Act 2015

The Sport Ireland Act 2015 highlights the roles and responsibilities of Sport Ireland. The Act also defines competitive sport and recreational sport:

“Competitive sport” means all forms of physical activity which, through organised participation, aim at —  
(a) expressing or improving physical fitness, and  
(b) obtaining improved results in competition at all levels;

“Recreational sport” means all forms of physical activity which, through casual or regular participation, aim at —  
(a) expressing or improving physical fitness and mental well-being, and  
(b) forming social relationships.

TENI considers it is important to recognise the difference between recreational and competitive sports as we aim to include the transgender and intersex community into sports.

<sup>35</sup>“Your Rights Guide: The Equal Status Acts 2000-2018”, IHREC, October 2020, <https://www.ihrec.ie/>

## POLICY DEVELOPMENT PROCESS

This section lays out potential steps you might take to develop transgender and intersex participation policy, or to implement wider inclusion processes.

In this section we lay out a range of options to consider, and our recommendations are at the end.

Once you understand how you want to approach creating or updating your policy, here are the following steps you should consider.

### Step One: Develop a Working Group

We recommend establishing a working group to develop a policy. Following the principles of stakeholder participation and inclusion, your working group should include transgender and intersex people. You may have transgender and intersex athletes in and out of your sport who will be willing to participate, or you can reach out to representative organisations for consultation. TENI offers support for policy development in this area - see TENI Recommendations section for more information.

Your working group should include the following:

- Members of the transgender, non-binary, and intersex community.
- Equality, Diversity, Inclusion (EDI) lead (or equivalent), or relevant representatives from your sports body.

Other members may also be relevant:

- Member(s) of senior management or board.
- Sports Development Officer (or equivalent).

The working group should set a timeline to create and agree on a proposed policy.

### Step Two: Key Considerations

#### Equality and Inclusion

A meaningful transgender and intersex inclusion policy should recognise the social isolation and marginalisation of transgender and intersex communities, and consider how to create an environment that is welcoming and inclusive for transgender and intersex athletes. This can reference (as applicable) other equality and inclusion policies, dignity and respect policies, established codes of conduct, and expectations of all involved in the sport. The policy document should also lay out the complaints and disciplinary procedures for breaches of expected behaviour within the sport.

The approach taken within the policy document itself will also constitute an equality area. TENI recommends that transgender and intersex people be encouraged to participate (or to continue participating) and compete (or continue doing so) in sport at all levels. The policy working group may choose to establish criteria for transgender and intersex participation in sport - different approaches in this area are set out below. If the criteria established are so onerous as to be practically impossible to

meet, require transgender and intersex people to meet medical testing limits that may be impossible given a lack of access to adequate healthcare (see 'Background' above) or far exceeding the participation criteria placed on cisgender people, the policy will have the effect of excluding, rather than including, transgender and intersex people. This undermines the rights to equality, dignity, and privacy of transgender and intersex people.

### **Health and Safety**

It is important to note that we perceive gender as a broad stroke tool. Not all men are bigger than all women, and not all women are smaller than all men. Having this mindset will allow you to make sure that anyone, regardless of their gender or sex characteristics, will be able to safely take part in sports. Understanding that variance in athletes (regardless of their gender identity or sex characteristics) in appearance, strength, and physical capabilities is a normal and natural part of competitive sports. You can draw on health and safety measures that are already in place in your sport. This will allow players of different shapes, sizes, and levels of fitness to be able to play together safely. Safety is paramount for all, not just one particular community.

It's important that you acknowledge and have safeguarding protocols in place for transgender and intersex players in your sport. This should include physical safety as well as interpersonal safety. For instance, research has found that trans people, particularly trans women, are less likely to participate in physical activities, and therefore might have lower bone mineral density and a higher prevalence of osteopenia compared to cisgender peers.<sup>36</sup>

Interpersonal safety considerations should protect them from any targeting, harassment, and abuse from anyone involved in the sport, be it teammates, coaches, staff, and spectators. The findings from Hargie et al, highlighted above, shed light on the struggle that transgender people face in sport, from the changing rooms, difficulty of appearing in public, and overall impact of exclusion from sports and other parts of society. It is important that your policies and procedures around anti-bullying are up to date. An anti-bullying policy can actively promote inclusion of marginalised people. It can include a statement that all participants are welcome, and that your sport seeks to create a welcoming atmosphere. It is important that you set out your "no tolerance" approach in relation to transphobic and interphobic language, discrimination, and name-calling. Sports have a duty to protect the wellbeing of their players, and this includes the transgender and intersex athletes in your sport.

## **Step Three: Practical Considerations**

### **Age**

Many sports allow mixed gender participation, practice and competition under a given age limit, usually 12 years of age, given the physical and social similarities for children pre-puberty.

During and after puberty, children will develop significant physical differences. With the current restrictions on puberty blockers and gender-related care for young people in Ireland, transgender and gender-diverse children are likely to go through the puberty development associated with their sex assigned at birth. This can be significantly distressing - transgender young people report elevated rates of self-harm, suicidal ideation, depression and anxiety particularly during teenage years.

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<sup>36</sup> Giacomelli, G., Meriggiola, M. C. "Bone health in transgender people: a narrative review." *Therapeutic advances in endocrinology and metabolism*, 13 (2022). <https://doi.org/10.1177/20420188221099346>

To safeguard the wellbeing, equality of access, and mental health of transgender young people, we encourage sporting bodies to allow young people to choose the gender category that feels best for them, and to encourage mixed-gender training or participation as relevant.

### Recreational and Competitive Sports

Sport can be both recreational or competitive. It is important to know the level of an event or activity, and to consider the safety, fairness, and inclusion for all athletes in your sport. Asking questions such as:

- Is this event about community participation and physical and mental wellbeing? Is it about having fun?
- Does the outcome of the event help improve results in competition? Are players aiming to win to improve their skills and progress their performance?

You might consider different policy approaches for recreational, junior competition, and senior competition levels. There are a range of approaches laid out below, with different participation criteria that may be relevant.

### Factors of Success within your Sport

Examine the factors for athletic capability, success, and wellbeing in your sport. Different sports require different skill outputs from participants, and these will factor differently in competition - for instance, a relatively large physique may be an advantage in sports such as rugby, and a disadvantage in sports such as horse riding and gymnastics. For some sports it will be a major component for competition, whereas in some other sports it may not matter as much about the athlete's physicality. These will also factor differently at different competitive levels, ranging from grassroots to elite. Conducting an analysis of these success factors, and their relevance across competition and participation, will help to inform your policy. It's crucial that you look into the different levels of your sport, from recreational to elite level, and understand where your policy needs to cover.

### International Federation Policies

Check if your international federation or governing body has a policy in the area of transgender and intersex athletes in sports. If they do have a policy, it's worth understanding if there's anything that can be adapted from it to your own policy. Some international federation policies may require you to follow certain processes for international or national competition.

There are also national sports bodies leading in including transgender, non-binary, and intersex athletes. Sports Bodies in Scotland, The Netherlands, Canada, and Australia have developed excellent resources, which you can find linked in our Additional Resources section.

## Step Four: Consulting Stakeholders

It is important to consult with your membership regarding their needs and understanding in this area. This should be done either independently or with external advice. Doing the consultation independently can provide members with a neutral space to share their views. TENI offers support to sports bodies who wish to create a consultation for their members.

Crucially - you are not polling cisgender members on whether transgender and intersex people should be allowed to participate in your sport. You are seeking input from the transgender and intersex communities, and additional expertise from other minority groups in your sport.

A useful guiding principle in this area is that the wishes, comfort, or genuine ignorance of the majority should not define the rights of the minority. It can be helpful to frame this in comparison to other minority groups - for instance, you wouldn't ask your white members if they want people of colour to be able to participate in sport, nor would you ask able-bodied members if disabled people should be allowed to participate.

Your stakeholders should include:

- transgender, non-binary, and intersex members of your sport,
- the transgender, non-binary, and intersex communities more broadly,
- the wider LGBTQ+ community,
- parents of transgender, non-binary, and intersex young people.

Additional stakeholders might be:

- social and competitive members of your sport,
- women's sports groups,
- disability/para-athlete groups,
- sport officials – coaches, judges, and referees,
- and other sports inclusion experts.

As mentioned above - this is a politicised and polarised area, with significant misinformation spread through media, social media and other channels. This might impact your stakeholder engagement and the feedback you receive. We recommend considering this, weighing who your stakeholders are (and are not), and preparing to receive feedback based on misinformation.

There should be an understanding that communication will be offered to your membership explaining your process and detailing how and why decisions have been made.

Sporting Pride has a list of the LGBTQ+ teams around the country that you can contact. You can find more information in our Additional Resources section.

## Step Five: Information Review

All sports bodies want their sports to grow. Being inclusive might mean different things in different sports. It is important to consider whether inclusion may impact on the experience of others, and how this might be optimised for everyone. This includes consideration of fairness, and if relevant, safety in your sport, and the value this holds to your membership. Fairness should be addressed based on evidence and balanced with the rights and dignity of athletes. Safety considerations must be applied equally to all athletes, not selectively.

It is important that organisations invest time and resources to ensure that their decision making process is a robust one, which you can implement and communicate to your members. Taking the time to work through the actions and considerations outlined above, and to identify any additional considerations, will help you to come to an informed decision for your sport. The next step for an organisation is to take all the learnings from the process, and to decide what policy approach it will take.

## Step Six: Policy Approach

Based on the current policy landscape in sports, there are three options that you could consider for your sport:

### 1. Gender categories based on self-identification

- Gendered sports categories can be broken down into men (boys for under 18 groups), women (girls for under 18s), and sometimes a mixed gender category.
- It's important to note that some non-binary and intersex people may be more comfortable playing on the men's or women's team. This will be different for each individual, and is usually based on the individual's considerations for their safety, comfort, and dignity within the sport.
- This should be the default approach at all levels of sports, making sure that everyone has a chance to take part in sports. No athlete should be required to undergo surgery, hormonal treatment, or other medical interventions in order to compete.

### 2. Gender categories based on qualification criteria

- This approach requires transgender, intersex or other gender diverse participants to satisfy a given criteria to qualify for a gendered sports category.
- The criteria specified can vary, but a common approach across national and international policy is to require that transgender women demonstrate testosterone levels within the average female range, for an arbitrary amount of time before applying, to compete within women's categories.
- If you take this approach, it is our recommendation that this is introduced only at a level of competition where other fairness measures, such as anti-doping, are in place.

#### ***Considerations for adopting qualification criteria for gendered categories***

There are a few things to consider if you decide to go with this approach:

- When do entry requirements need to come into effect?
- What other fairness procedures does this sit alongside?
- Will these criteria be achievable for transgender and intersex people in Ireland?

#### ***Considerations regarding hormone level testing***

Testosterone testing is a blunt tool.

A testosterone test provides information about the level of testosterone present in an individual's body - it does not indicate athletic ability, muscle mass, agility, prior history of training, diet, or any of the other myriad factors that influence success.

Hormone testing must be considered within the context of access to gender-affirming care in Ireland. At the time of publication, there are no gender services for young people in Ireland. This means that transgender young people do not have access to life-saving forms of medication (such as puberty blockers) that young people in other countries can access.<sup>37</sup>

<sup>37</sup> Quilty, A & Belong To, Trans Healthcare in Ireland: Accessing Healthcare related to Gender Identity for Trans and Non-binary People, (Belong To, 2024).

<sup>38</sup> Black, J., 'Over 2,000 people waiting for trans healthcare in Ireland'.

Furthermore, transgender adults wishing to medically transition face a ten-year waitlist for a first appointment at Ireland's only gender clinic.<sup>38</sup> Patients within that clinic report abusive interactions with doctors, traumatising experiences within the clinic, delays to their care, and outdated, invasive questioning from psychiatrists.<sup>39</sup> For many transgender people, this means that medical transition and hormone treatment are effectively unavailable in Ireland.

Therefore, we do not recommend testosterone level testing unless required by an international federation.

If you decide to introduce testosterone testing as an entry criteria for women's categories, you must decide:

- What blood level of testosterone will be required for transgender people to be able to compete in women's categories?
  - Average cisgender women's testosterone ranges from: 0.14 nmol/l - 2.15 nmol/l. Hamilton et al recommend that levels for an athlete to compete in the women's category should be around 2.5nmol/l - 5 nmol/l.<sup>40</sup>
- How long is required for hormone suppression to take effect before allowing transgender people to compete?
  - The E-Alliance systematic review found that 1 year of HRT is a sufficient amount of time for the athlete's hormones to reach their respective levels and to negate any physical advantages.<sup>41</sup>
- How will you monitor their blood levels during the competitive season and off-season?
  - To whom should athletes submit blood test results? How will the athlete's privacy and confidentiality be protected in storing this sensitive data?
- What supports will be made available to transgender or intersex athletes who do not meet the necessary requirements and are therefore excluded from your sport?

#### **When should qualification criteria be introduced?**

If you decide to introduce qualification criteria for gendered categories, it is our recommendation that this be applicable only for competition when you need to apply other fairness measures, such as drug testing and anti-doping regulations, and should not affect transgender and intersex players who decide to play local/grassroot sports.

#### **How will criteria be assessed?**

Ensure that you have an established, clear, written and publicly available policy which states:

- How it will assess the player involved.
- Who will make the assessment.
- What evidence will be used for this assessment, as well as the other factors on which the assessment will be based.

Through the assessment process you should:

- Ensure that the decision is undertaken in a timely manner so that the player is not unnecessarily disadvantaged.
- Provide the player with an opportunity to respond to any proposal to exclude them.
- Provide the player with written reasons for any decision to exclude them.
- Provide the player with an opportunity to seek a review of a decision to exclude them.

<sup>39</sup> Carroll, C., "It left me traumatised". See also Carroll, C., 'Transgender people turning to DIY-healthcare due to lack of trust in National Gender Service', *The Journal*, 1st May 2025; and Carroll, C., 'Transgender people moving to Ireland put on long waitlist for vital healthcare until assessed', *The Journal*, 2nd May 2025.

<sup>40</sup> Hamilton, 'Integrating Trans Women and Female Athletes with Differences of Sex Developments', p. 2.

<sup>41</sup> E-Alliance, *Transgender Women Athletes*, p. 5.

### 3. Mixed gendered sports and open categories

- Introducing a mixed and open category for your sport can be an inclusive addition for everyone, not just transgender and non-binary people.
- A mixed category should supplement the men and women's categories. This should **not** replace the men's category.
- If you decide to introduce this, you should significantly fund and promote this at all levels of participation and competition in your sport. Segregating transgender and intersex people into an 'open' category does not constitute inclusion.
- Tag Rugby introduced an open category, and in conversation with TENI reported that it has been successful in encouraging more women (both cisgender and transgender) into the sport.

Regardless of how you categorise your sport, sports should make sure there is a place for everyone as long as everyone feels comfortable to do so. Gender based categories, with or without entry requirements, can allow eligibility consistent with an athlete's gender identity, or into the category which most aligns with their gender. This will allow trans women to compete in the women's category, trans men into the men's category, and non-binary and intersex people into the category of their choosing.

It can be a challenge for transgender people, intersex people, and people with DSD to have to fit into the gender binary of their sport, but sport provides an opportunity to maintain physical and social health, to join communities, to learn, and to expand and improve cultural narratives about gender. For transgender and intersex athletes who identify as male or female, competing in their respective categories can affirm their gender identity.<sup>42</sup> For some athletes who may not identify with gender or wish to conform to the gender binary, being able to compete in "open" categories can allow athletes to create their own narratives in sport, can reduce the concerns of fairness from comparative tests, and can affirm all athletes on equal footing.<sup>43</sup> Policies affecting intersex athletes should be informed by their distinct experiences, which may overlap with those who are transgender or DSD-identifying athletes, but are not the same.

Policies should also draw on international best practice from countries that have developed transgender and intersex-inclusive sports guidelines, such as Australia, Canada, and Scotland.

## Step Seven: Implementation

Once you have determined what your policy approach will be, there will be practical considerations regarding how to implement your policy, in order to ensure that those entrusted with the practical logistics have the resources needed to fulfil their role.

It is important that in addition to deciding on a policy approach you also look at factors related to implementation and what that might mean for your current processes and for your membership. These considerations will vary from sport to sport but some examples of areas you may wish to give further consideration to are:

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<sup>42</sup> Pitsiladis et al., "Beyond fairness: the biology of inclusion for transgender and intersex athletes", pg. 11.

<sup>43</sup> Pitsiladis et al., "Beyond fairness: the biology of inclusion for transgender and intersex athletes", pg. 11.

### Registration Forms

Make sure that your registration reflects what your policy has stated. To ensure that you are consistent and clear with your approach, your organisation should consider whether the questions asked on your registration form align with terminology that is used in your policy.

Self-identification does not require any form of medical or surgical intervention, and can occur at any stage of life. Your registration form should reflect an individual's own gender identity:

- Consider offering a “man”/“boy” [depending on age], “woman”/“girl” [depending on age], and “non-binary” as options to your members. You can also include a fill-in box for members to fill out if none of your options match their identity.
- Include optional questions such as “Do you have any intersex traits you would like to disclose?”
- Having a space for members to list their pronouns.

TENI has guidance on developing gender inclusive forms and can assist in reviewing drafts.

Whether your sport only has male and female categories for competition or participation, or if you also have an open/mixed gender category, your registration form should list what categories are available within your sport and ask athletes what category they would like to compete in.

### Data and Confidentiality

Transgender and intersex individuals should not be required to show any proof of identity beyond what is required for cisgender people.

If the sports body requires proof of identity, some transgender people may have a legal name that is different to their social name. This information should be treated as sensitive and kept confidential. You should ensure that the social name remains in use in face-to-face interactions and correspondence.

There may be some cases where a transgender athlete will start out in the category based on their sex assigned at birth and will want to transfer into the gender category that they identify as. They may need to amend their records if they change their name or identifying information during their time in the sport. This should be done in a timely and effective manner. It is vital that you ensure that athlete's bodily privacy are protected and that there are no compulsory disclosures of their chromosomes, genetics, and any other gender related information.

### Code of Conduct

Where sports bodies have Codes of Conduct, they typically include clauses specifying that all players will treat each other with dignity and respect. Elements of the Code of Conduct that relate to transgender and intersex people could include:

- We treat each other with dignity and respect.
- We will use the correct names and pronouns for our members.
- We commit to creating a safe and welcoming space for all players.
- We have zero tolerance for discrimination and bullying for any reason.

Your Code of Conduct should apply to everyone involved in your sport:

- Coaches
- Players
- Spectators
- Volunteers

- Staff and administrators
- Referees and other officials

A Code of Conduct outlines the behaviour that is or isn't acceptable between participants in the sport. Consider where you will have your Code of Conduct so that all of your members can access it.

### Uniforms

Sports bodies are encouraged to review the uniform/dress code requirements of their sport and be prepared to be flexible in requirements, particularly at club/recreational level.

Transgender and intersex athletes should choose the uniform option that is most comfortable for them. Other participants may also want to do this! Expanded options can be useful for participants of different religious and cultural backgrounds, with different disabilities, and with different body types.

We encourage increasing the options available to all participants so that everyone can participate as comfortably and confidently as possible.

### Facilities

Transgender and intersex people should have access to the bathrooms and changing rooms that best align with their gender identity. It is important to note that this may change over time, particularly over the course of an individual's transition. Changing to using a different bathroom or changing room is a personal decision. Some transgender and intersex people may prefer to use a single-stall or private changing space, and sports bodies should ensure this space is available where possible. Some transgender and intersex people will want to use gendered spaces, in which case, you should consider how you can facilitate this while safeguarding the transgender or intersex person.

Where possible, we encourage sports bodies to provide:

- Both gendered and universal access facilities - can be labelled as "toilet with stall / toilet with urinals";
- Proper privacy features for changing and showering;
- Sanitary items and bins in all facilities.

As with uniforms, these more inclusive practices are based in universal design and ensure greater inclusivity for all, not solely for transgender or intersex people.

### Anti-Doping Policies

It is important to acknowledge and observe anti-doping regulations within your policy. Relevant medications that may be prohibited by World Anti Doping Agency (WADA) rules include:

- Testosterone suppression medications
- Puberty blockers
- Testosterone
- Anabolic agents. <sup>44</sup>

Use of any medications as part of a medical transition will require a Therapeutic Use Exemption (TUE) for competitive sport. A TUE can be gained from a sports physician or medical practitioner who can administer the anti-doping rules of WADA.

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<sup>44</sup>'The Prohibited List'. World Anti Doping Agency website, 1st October 2024, <https://www.wada-ama.org/en/prohibited-list>

It is also important to know when these anti-doping regulations apply. If a transgender athlete who is taking testosterone is only taking part in grassroots/local sports, then it would not be necessary for that athlete to obtain a TUE. A transgender athlete's hormone levels should only be assessed when anti-doping regulations apply. Transgender athletes should be supported in accessing TUEs for gender-affirming medications without unnecessary barriers or stigma. You should ensure your process is clear and confidential, with named support contacts, ensure that TUEs are only required at regulated competitive levels, and recognise hormone treatment as essential healthcare, not performance enhancement.

### **Complaints and Appeals Procedure**

You may need to review your existing complaints and appeals procedures to make sure it aligns with your policy.

A complaints procedure should:

- Outline how a player can make a complaint regarding any discrimination or harassment they may experience on the basis of their sex or gender identity, including intersex based discrimination or breaches of their bodily autonomy.
- Outline how the sporting organisation will respond to complaints; be fair, effective, and confidential as far as possible.
- Have an option for anonymous complaints.
- Be easy to read and comprehend.

### **Communication**

It is vital that you communicate your policy and plans for implementation to your membership. You should plan how you will communicate and share details of the policy with your members. Here are some things you should consider:

- Direct contact to any of the transgender and intersex members who you have engaged with throughout the policy development process.
- A debriefing session with the stakeholders for your sport to outline what changes will be implemented.
- Make sure you have appropriate resources and supports ready to answer any questions or concerns your members may have.

It is important to plan a review of your policy at regular intervals to make sure it covers everything you may need for your sport. This area of sports is still being developed; make sure you keep up to date with any new research and developments that happen in and out of your sport.

## Step Eight: Policy Review and Evaluation

Policies should be regularly reviewed and evaluated to ensure good practice. We suggest that reviews of transgender and intersex inclusion policies evaluate:

- Whether more or less transgender and intersex people joined the sport in the lifetime of the policy;
- Whether transgender and intersex people continued in the sport;
- Collect feedback from transgender and intersex athletes and organisations on the effectiveness of inclusion measures.
- Case-by-case decisions, and decisions on eligibility for gendered categories;
- Any developments in research, policy or best practice in this field.

We suggest that transgender and intersex athletes within the sport are invited to contribute to this evaluation. If there are no transgender and intersex athletes in the sport, we suggest that the wider transgender and intersex community, or transgender and intersex representative organisations such as TENI and Intersex Ireland, support the evaluation process.

We recommend this review be completed on a one or two-year cycle.



## TENI RECOMMENDATIONS

For an equitable, safe and inclusive approach to transgender and intersex participation in sport, and recognising the diverse nature of sport in Ireland, TENI makes the following recommendations.

### Participation:

- Allow transgender and intersex players of any age to participate in the gender category of their choosing.
  - At national level, this should take place without the introduction of eligibility criteria beyond what is normally expected of other players.
  - At international level, this may be dictated by the international sporting federation. Many international federations employ testosterone level testing. Testosterone testing should not be introduced any earlier than dictated by the federation, and should only take place where other measures such as anti-doping are in place.
- Encourage mixed-gender training and competing.

### Policy and Process

- Audit and review inclusion, equality, dignity and other relevant policies and practices within the sport to ensure alignment with this policy.
- Ensure that anti-bullying/dignity policies, codes of conduct, or other relevant documentation are responsive to transphobic bullying or harassment.
- Ensure that robust complaints processes are in place and that relevant staff or volunteers are trained and sensitive to transphobia.
- Review registration forms and other forms of data collection to ensure transgender people are accurately registered.
- Consider the needs and safety of transgender and intersex players in using changing rooms and bathrooms - we encourage the provision of gender-neutral facilities where possible, and developing a culture of safety, inclusivity and positivity around gendered facilities.

### Transition Support

- Considering how transgender players who transition in their time with the sport can be supported - will they need to update their membership data? Can they change their name and gender marker on their records? How can players move between gender categories for competition?

### Stakeholder Engagement

- Lastly but most importantly - speaking with transgender and intersex athletes to gather their experiences and insights.

TENI is available as a resource in developing a policy, developing an implementation plan, for training (for top-level staff, for coaches, for clubs, and others appropriate), and for any further support or guidance we can offer.

## SUMMARY

### Getting the team together

- Identify the staff/volunteers leading this project.
- Identify who should be in the working group.
- Ensure that there are transgender and intersex people in the working group.
  - Transgender and intersex athletes, and/or representative organisations (TENI, Intersex Ireland, and others).
- Map other stakeholders to be consulted later in the process.

### Questions to ask

- How can we ensure that transgender and intersex voices are included, heard and respected?
- Does the working group need a Terms of Reference, code of conduct or similar?
- Are there voices/areas of expertise that we are missing?

### Setting the scene

- Learn about what it is like to be transgender and intersex in Ireland.
  - TENI, BelongTo, Intersex Ireland, LGBT Ireland and other organisations can provide input.
- Read the two systematic reviews of research in this area.
  - E-Alliance, *Transgender women athletes and elite sport: A scientific review*. (Canadian Centre For Ethics In Sport, 2022). <https://cces.ca/transgender-women-athletes-and-elite-sport-scientific-review>
  - Jones, B.A., Arcelus, J., Bouman, W.P. and Haycraft, E., "Sport and transgender people: a systematic review of the literature relating to sport participation and competitive sport policies," *Sports medicine*, 47, (2017) pp.701-716. <https://doi.org/10.1007/s40279-016-0621-y>

### Questions to ask

- Does the working group need an information session on transgender and intersex rights, healthcare, young people, and other key issues?
- Does the working group understand the methodological issues with many studies in this area?
- Does the working group understand the nuanced physical and medical differences between cisgender, transgender and intersex people, and the impact of medical transition?
- Does the working group understand the social experiences of transgender and intersex people, which include elevated rates of harassment, violence, isolation, and health disparities?
- Does the working group understand the landscape of misinformation and disinformation in this area?

### Consider participation and competition

- Explore key considerations (equality and inclusion, health and safety) as it pertains to participation and competition.
- Map and explore additional considerations (age ranges, competitive levels, factors of success).
- Find out if our sport has an international policy in this area, and if so how/when it applies in Ireland.

### Questions to ask

- Can the working group decide on shared principles of equality, dignity and respect for all members of your sport?
- In what ways are transgender and intersex people already participating in our sport? What's working or not working?

### Consult stakeholders

- After mapping, developing knowledge and brainstorming, consult with stakeholders around policy areas, for example participation, competition, best practice in inclusion and safety, others as needed.
- Gather input and feedback and decide if this will be incorporated into the policy.
- **Note:** you might consult stakeholders at this point, or instead develop a draft policy to then seek input on, depending on your work flow.

### Questions to ask

- Recognising that this area is politicised and polarising - who are our stakeholders? And who is not?
- How can we ensure transgender and intersex stakeholder input?
- How can we facilitate this dialogue in a constructive, egalitarian and inclusive manner?
- How do we weigh conflicting views?
- How will we recognise misinformation or bad-faith engagement in this process?

### Develop policy

- Explore the three potential approaches to participation and competition - participation based on self-identification, introducing eligibility criteria, and/or developing open/mixed categories.
- Read TENI's recommendations on best practice.
- Map benefits, risks, and realistic implementation options, and decide on an approach.
- Your policy approach may involve a mix of all three.
- Explore additional policy areas - registration forms, data collection, confidentiality, expectations of behaviour, uniforms, facilities, complaints processes, and others.
- Map each of these areas to your sport and consider the needs of trans and intersex participants across these areas.
- Develop your policy.
- Feed back to your stakeholders on the development process, decision-making and integration of their input.
- Publish and implement policy.
- Potentially roll out training and information support for members.

### Questions to consider

- Are there other areas we need to think about?
- If there are changes to be made in any area, what is the process for this and who is responsible?
- How can we support implementing this policy? How will the policy be communicated and to who? Will staff/volunteers/others need training or information?

### Review and Evaluate

- Determine a reasonable timeframe to review and evaluate your policy.
- Decide who will be responsible for this review and what it will evaluate.
- Seek input from trans and intersex participants on how the policy is functioning, areas of improvement, etc.

### Questions to consider

- What changed as a result of introducing this policy?
- Have more transgender and intersex people joined our sport? Have transgender and intersex people continued in the sport? Are transgender and intersex people safe in our sport?
- Have there been any changes in international policy that need to be reflected in our policy document?

## SUPPORTS

### TENI Training

Increasing understanding and awareness can be a key part of developing a more inclusive culture within a sports body.

TENI can support by providing training on transgender awareness and inclusion specific to sports environments in an open and non-judgemental learning environment. This training is available to staff, coaches, players and referees, and anyone else relevant. In our sports inclusion training we cover topics such as:

- Terminology that you will encounter when working with the transgender community.
- Statistics about young LGBTQ+ people's experiences of sports in Ireland.
- What to do if someone discloses their gender identity and things to consider to make your sports environment more inclusive for transgender people.
- The policy landscape in a variety of different sports.
- Conscious and unconscious bias of how we view men and women in sports.
- The language used in a sports environment, often labelled as "banter", and how that language can affect transgender people wanting to stay involved or leave sports.
- Tips on how to start creating a safe and inclusive environment for transgender people.

If you wish to book any training or for more information, you can contact us at [office@teni.ie](mailto:office@teni.ie).

### Support Groups

TENI believes in creating spaces for whole family units to engage in support. We offer parents and young people support and guidance either in person, online or via phone calls. We also have a variety of support groups.

Contact [transparencigroup@gmail.com](mailto:transparencigroup@gmail.com) for the following support groups:

- **TransParenCI** - Parent and adult family member support group. Based in Dublin, Cork, Waterford, Galway and Kerry, and online via Zoom.
- **Transformers** - Teen support group for ages 13 - 18yrs. Based in Dublin, Cork, Waterford, Galway and Kerry, and online via Zoom.
- **TransParenCI Minis** - Parent and adult family member online support group for 12yrs and under.
- **Transcend** - Young adult online support group for 18 - 24yrs.

**Transgender Family Support Line (01 907 3707)** - Signposting service that runs on Sunday from 6pm - 9pm and Tuesday from 10am - 12pm.

## Additional Resources

### Representative organisations

Transgender Equality Network Ireland (TENI) ([www.teni.ie](http://www.teni.ie))

Intersex Ireland (<https://intersexireland.wordpress.com/>)

Sporting Pride ([www.sportingpride.ie](http://www.sportingpride.ie))

Belong To ([www.belongto.org](http://www.belongto.org))

ShoutOut ([www.shoutout.ie](http://www.shoutout.ie))

OII Europe ([www.oiiurope.org](http://www.oiiurope.org))

### Guidelines and other resources

Australian Human Rights Commission, Guidelines for the Inclusion of Transgender and Gender Diverse People in Sports ([https://humanrights.gov.au/sites/default/files/document/publication/ahrc\\_transgender\\_and\\_gender\\_diverse\\_guidelines\\_2019.pdf](https://humanrights.gov.au/sites/default/files/document/publication/ahrc_transgender_and_gender_diverse_guidelines_2019.pdf))

Laureus: Sport for Good, A First Steps Guide Toward Transgender and Non-Binary Inclusion in Sport for Development ([https://laureus-com-editor-files.s3.amazonaws.com/Toolkit\\_Beyond%20the%20Gender%20Binary%20Guide%202021\\_\\_.pdf](https://laureus-com-editor-files.s3.amazonaws.com/Toolkit_Beyond%20the%20Gender%20Binary%20Guide%202021__.pdf))

LEAP Sports Scotland Resources ([www.leapsports.org/stay-informed/resources](http://www.leapsports.org/stay-informed/resources))

Nederlands Olympisch Comité\* Nederlandse Sport Federatie' (NOC\*NSF), Guidelines for Inclusion of Gender and Sex Diverse Individuals (<https://cdn.nocnsf.nl/media/ewpk3pl1/guideline-gender-and-sex-in-sport-online-engels.pdf>)

Northern Ireland Human Rights Commission, Including Transgender People in Grassroot Sports (<https://nihrc.org/assets/uploads/Including-Transgender-People-in-Grassroots-Sport-Gendered-Intelligence-NISHRF-2023.pdf>)

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Outsport EU ([www.out-sport.eu/research/](http://www.out-sport.eu/research/))

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Scottish Trans Alliance, Getting Equalities Monitoring Right ([www.scottishtrans.org/wp-content/uploads/2017/06/getting\\_equalities\\_monitoring\\_right.pdf](http://www.scottishtrans.org/wp-content/uploads/2017/06/getting_equalities_monitoring_right.pdf))

St James' Hospital Average Oestrogen Levels (<https://search.stjames.ie/Labmed/Info/Biochemistry/ExamTestName,25574,en.html>)

St James' Hospital Average Testosterone Levels (<https://search.stjames.ie/Labmed/Info/Biochemistry/ExamTestName,25583,en.html>)

TransEDU ([www.trans.ac.uk/ResourcesInformation/Facilities/tabid/7236/Default.aspx](http://www.trans.ac.uk/ResourcesInformation/Facilities/tabid/7236/Default.aspx))

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