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| Key Policy Document Title | Transgender Athletes in Competition Policy |
| Adopted | 1 March 2024 |
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Introduction

1. JudoScotland is the Scottish Governing Body (SGB) responsible for regulating within its jurisdiction the participation of persons in all the disciplines of the sport of Judo in Scotland.
2. JudoScotland has a duty of care to all Athletes competing in Judo and it is our view that gender identity should not be a barrier to participation. The purpose of this document is to provide clear eligibility and inclusion criteria and processes which enable Transgender Athletes to participate in Judo. This Policy reflects JudoScotland's commitment to providing fair, inclusive, safe, and non-discriminatory opportunities for all Athletes.

Definitions

3. For the purpose of this policy:

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| Affirmed Gender | the Sex that a person identifies as or has transitioned/is transitioning to as opposed to their sex at birth; |
| Applicable Laws | any and all: (i) laws, statutes, regulations, decisions, rulings, directives, codes of practice, government policies, enactments or instruments (including national, regional, local or principal laws, regulations or by-laws of any kind whatsoever) relevant to this Policy; |
| Chromosomal Sex | the chromosomes of an individual which determine their genetic or Biological Sex; |
| Female | possession of XX chromosomes and (in the absence of medical intervention) ovaries and increased circulating oestrogen and progesterone starting at puberty; |
| Male | possession of XY chromosomes and (in the absence of medical intervention) testes and increased circulating testosterone starting at puberty; |
| JudoScotland Competitions Sex | This policy refers to all JudoScotland administered Competitions, licensed via British Judo Association |
| Tanner Stages | natural biological differences between Females and Males, including chromosomes, reproductive organs, and endogenous hormonal profiles. This Policy uses the word Sex and the term "Biological Sex" interchangeably; the five stages of puberty during which individuals develop secondary Sex characteristics. Tanner Stage 2 denotes the onset of puberty. The normal time of onset of puberty ranges from 8 to 13 years old in females and from 9 to 14 years old in males; |
| Therapeutic Use Exemption/ TUE | a Therapeutic Use Exemption allows an Athlete with a medical condition to use a Prohibited Substance or Prohibited Method as defined in the WADA Code; but only if the conditions set out in the International Standard for Therapeutic Use Exemptions are met; |



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Transgender Athlete

people whose gender is not the same as, or does not sit comfortably with their sex at birth;
any Athlete who is Transgender (Transgender Woman or Transgender Man) and participates in Judo under the jurisdiction of BJA;

**Transgender Woman/Women
Transgender Man/Men**

someone who is male at birth but identifies and lives as a Female. This may be shortened to trans woman, or MTF, an abbreviation for male-to-female;
someone who is female at birth but identifies and lives as a Male. This may be shortened to trans man, or FTM, an abbreviation for female-to-male;

Purpose of this Policy

4. The purpose of our policy is to protect and support transgender athletes and colleagues as well as supporting staff to respond appropriately, sensitively, and fairly with transgender persons. In a sport where equality is embedded, we are responsible for making sure that no one receives less favourable treatment and unlawful discrimination on the grounds of the 9 protected characteristics defined in the Equality Act 2010.
5. Judo is a sex-affected sport as defined by legislation. In that, the physical strength, stamina, or physique of average persons of one sex would put them at a disadvantage to average persons of the other sex as competitors in a Judo event. Accordingly, JS have adopted a policy for transgender competitors for two reasons. Firstly, to ensure equal and fair competition and secondly, to always ensure the safety of all competitors.
6. This policy covers Judoka participating in all JudoScotland competitions (licensed by BJA).

Policy Objectives

7. JudoScotland are committed to the inclusion of all Athletes in Judo, subject to the Eligibility Criteria set out in this Policy.
8. It is committed to the separation of Judo into men's and women's categories according to Sex, as this is necessary for the attainment of the goals that are set out in the above section. It is also committed to providing the opportunity for Transgender Athletes to participate in Judo and compete in JudoScotland competitions pursuant to Eligibility Criteria that are consistent with and do not undermine those goals.
9. In light of these commitments, the objectives of this Policy are:
 - (a) to maintain the separation of Judo into men's and women's categories according to scientifically grounded, sex-based criteria.
 - (b) to provide opportunities for Transgender Athletes to compete in JudoScotland competitions in the competition category that reflects the sex they identify as, based on Eligibility Criteria that is consistent with and do not undermine JudoScotland's goals; and
 - (c) to provide a comprehensive, fair, and equitable process by which Transgender Athletes may establish their eligibility for JudoScotland competitions.



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Athlete Support

10. Parents, or other persons with parental responsibility for all Athletes aged under 18 (or such younger age if applicable law so dictates) (Minor) understand and agree, in respect of the Minor for which they have legal responsibility, for the Minor as an Athlete to be bound by all aspects of this Policy.

Eligibility Criteria

11. All Athletes are eligible to compete in the men's category or in the women's category in JudoScotland competitions, whatever the sex they identify as, subject to the Eligibility Criteria set out below. Subject to those criteria, no Athlete is excluded from a JudoScotland competition based on their sex.
12. All Athletes (including Transgender Athletes) are eligible to practice within a club environment without sex segregation subject to Coaches ensuring that training occurs between Athletes of equivalent Grading, experience, competence, strength, weight, and capability.
13. All issues relating to the eligibility of a Transgender Athlete under this Policy to compete in JudoScotland competitions in a Sex category which is different to their Chromosomal Sex will be determined by the JudoScotland Equality Panel (EP). The panel shall include three representatives appointed by the JudoScotland board. The panel's appointees shall not necessarily be members of the board but shall always include one board member as well as a member of the Equality Working Group and a medical representative who has the appropriate expertise.
14. Female Athletes who have previously used testosterone as part of female-to-male gender-affirming hormone treatment (with or without a TUE) but are no longer following that treatment are eligible to compete in the women's category in JudoScotland competitions if they can demonstrate to JudoScotland reasonable satisfaction that (a) the testosterone use was for less than a year in total (i.e., from the date of first use to the date of last use) and did not take place during pubertal growth and development, and (b) their testosterone levels in serum (or plasma) are back to pre-treatment normal and any associated anabolic effects have been eliminated.
15. Female Athletes who have used testosterone in violation of the WADA Code, BJA Anti-Doping Rules, IBSA Anti-Doping Rules, IJF Anti-Doping Rules and UKAD Rules (as in place from time to time) (or any other applicable anti-doping rules) may return to competition after they have served their period of ineligibility.

Eligibility Criteria for Transgender Athletes for JudoScotland Competitions

16. Transgender Athletes are eligible to compete in JudoScotland competitions in a Sex category which is different to their Chromosomal Sex if they can demonstrate to JudoScotland reasonable satisfaction that they did not experience any part of puberty beyond Tanner Stage 2 or before age 12, whichever is later.

Satisfaction of the Eligibility Criteria and Transgender Athlete Applications

17. Any Transgender Athlete who wishes to be eligible to participate in a JudoScotland competition in a Sex category which is different to their Chromosomal Sex pursuant to Section 16 (above), as a condition to such eligibility, and subject always to the confidentiality provisions set out in this Policy shall:
 - (a) fully comply with this Policy;



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- (b) cooperate promptly and in good faith with JudoScotland and any Panel in the discharge of their respective responsibilities under this Policy, including to provide them with all of the information and evidence they request to enable them to assess compliance and/or monitor continuing compliance with the Eligibility Criteria;
 - (c) when providing information pursuant to this Policy provide accurate and complete information, and not provide any information in bad faith or for an improper purpose;
 - (d) to the fullest extent permitted and required under Data Protection Legislation and other laws of the United Kingdom (and any other applicable jurisdictions) consent to the collection, processing, disclosure, and use of information (including their sensitive personal information) as required to implement and apply this Policy effectively and efficiently.
18. If, in JudoScotland's discretion, a case arises that requires further consideration under this Policy, that matter will be dealt with accordingly.
19. Any Transgender Athlete who wishes to establish their eligibility under this Policy must do so in writing to safeguarding@judoscotland.com.
20. The Application must contain the following:
- (a) the consents and waivers necessary to allow JudoScotland to provide the Transgender Athlete's Application to the Panel who will conduct the eligibility assessment detailed herein.
 - (b) the Transgender Athlete's JudoScotland membership number and the consents and waivers necessary to allow the Panel to review the Transgender Athlete's membership records.
 - (c) a comprehensive medical history and such other information as is required to demonstrate their satisfaction of the Eligibility Criteria.
 - (d) evidence as to whether the Transgender Athlete requires and/or is in possession of a TUE authorising their participation.
 - (e) substantive evidence, medical, scientific or otherwise that demonstrates the safety and fairness for both the Transgender Athlete and their opponent should the Transgender Athlete be permitted to compete in JudoScotland competitions.
 - (f) details of the specific Judo discipline and Sex category the Transgender Athlete wishes to participate in, their participation history and to what level they aspire to participate in the future; and in addition to the medical matters addressed in this Policy, the Transgender Athlete must confirm if they have any additional medical conditions that may affect their ability to compete, participate and/or perform which the Transgender Athlete considers the Panel should be aware of.
21. Within 14-days of receiving the Application, JudoScotland shall acknowledge the Application and proceed to appoint the Panel and then notify the Transgender Athlete of the Panel members as soon as is practicably possible. At the time of appointment, the Panel shall be provided with a copy of the application.
22. In its decision making, the Panel will consider the following factors:
- (a) the Eligibility Criteria including evidence as to whether or not the Transgender Athlete wishing to compete did not experience any part of puberty beyond Tanner Stage 2 or before age 12, whichever is later; and
 - (b) JudoScotland's legal obligation that it must not restrict the participation of Transgender Athletes unless it is strictly necessary in order to uphold fair and/or safe competition; any other restriction would amount to direct discrimination.
 - (c) JudoScotland's duty of care to all of its Athletes (including Transgender Athletes)
 - (d) the Transgender Athlete's competitive advantage (if any).
 - (e) the Transgender Athlete's competitive disadvantage (if any).
 - (f) the Transgender Athlete's safety and the safety of their opponent(s).
 - (g) the mental and physical risks associated with Judo; and



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- (h) any other factor that it deems necessary pursuant to this Policy.
23. For the avoidance of doubt no Transgender Athlete is required to undergo any medical assessment and/or treatment under this Policy. It is the Transgender Athlete's responsibility, in consultation with their medical team, to decide on the advisability of proceeding with any assessment and/or treatment.
24. Upon conclusion of the Panel meeting, the agreed decision, with supporting reasons, will be communicated in writing within 14 days.
25. Subject to the Appeal Process below, the Panel's decision is final and binding on all parties.
26. If the Application is successful, the Transgender Athlete is not entitled to participate in their desired discipline and sex category until they have been provided with written confirmation.
27. The Panel decision will be communicated to relevant personnel at other Judo Home Nations if deemed appropriate, whilst maintaining confidentiality at all times.

Appeal Process

28. In the event that the Application is not successful the Transgender Athlete shall have a right to appeal the decision of the Panel by giving written notice within 14 days of receiving notification of the Panel decision and with reasons to safeguarding@judoscotland.com (Notice of Appeal).
29. The Notice of Appeal shall:
- (a) state the date and decision against which the appeal is lodged.
 - (b) set out the statement of facts upon which the appeal is based, specifying the grounds of appeal relied upon which may include that: information was ignored or not considered by the Panel; or
 - (i) the process was tainted by reasonable bias or conflict of interest; or
 - (ii) provisions of the procedure were not adhered to in a material fashion; or
 - (iii) the findings of the Panel were irrational or otherwise exhibited in error general law; or
 - (iv) additional information has come into the Transgender Athlete's possession which is integral to the Application;
 - (c) include any supporting documentation upon which the Transgender Athlete seeks to rely, and
 - (d) contain the consents and waivers necessary to allow JudoScotland to provide the Transgender Athlete's Notice of Appeal to the Appeal Panel.
30. Within 14-days from receipt of the Notice of Appeal, JudoScotland shall acknowledge the Notice of the Appeal and then notify the Transgender Athlete of the Appeal Panel members as soon as is practically possible.
31. The Appeal Panel's decision will be final and binding on all parties.
32. In the event that the Notice of Appeal is successful the Transgender Athlete shall not be entitled to participate in their desired Judo discipline and sex category until such time as they have been provided with written clearance by JudoScotland.
33. The Panel decision will be communicated to relevant personnel at other Judo Home Nations if deemed appropriate, whilst maintaining confidentiality at all times.

Compliance

34. JudoScotland shall maintain a confidential register of Transgender Athletes who have been approved to participate in their identified sex and each Transgender Athlete's clearance, in particular any hormone-related treatment, may continue to be reviewed every year, to ensure its continued validity.



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35. A Transgender Athlete shall not be entitled to participate in identified sex until such time as they have been provided with written clearance pursuant to this Policy.
36. Subject to Applicable Laws, in addition to the general power to monitor continuing compliance with the Eligibility Criteria, JudoScotland may investigate, at any time:
 - (a) whether an Athlete who has not filed an Application under this Policy is a Transgender Athlete who needs to establish their eligibility to compete in a particular JudoScotland Competition category in accordance with this Policy; and/or
 - (b) any circumstances that indicate actual or potential non-compliance with this Policy; and/or
 - (c) where the eligibility of an Athlete or Transgender Athlete is questioned and/or disputed by a third party. JudoScotland will work with the Athlete or Transgender Athlete to undertake a sensitive and confidential review of their circumstances and shall have the authority to take all appropriate measures for the determination of the eligibility of the Athlete, if it considers that there are grounds to do so. Such measures may include eligibility verification processes conducted by JudoScotland and/or JudoScotland appointed third parties. JudoScotland will only consider reasonable third-party requests which are submitted in writing, and which JudoScotland considers clearly sets out the grounds upon which the Athlete's or Transgender Athlete's eligibility is questioned and/or disputed.
37. In such cases, if they wish to retain their eligibility to compete in JudoScotland competitions, the Athlete or Transgender Athlete must cooperate fully and in good faith with that investigation. Where necessary to safeguard the fairness and/or integrity of competition and/or the safety of the competitors, JudoScotland may provisionally suspend the Athlete or Transgender Athlete from competing in JudoScotland competitions pending resolution of the matter, provided that in such cases all reasonable endeavours will be used to complete the investigation as promptly as possible.
38. In addition to the general power to monitor continuing compliance with the Eligibility Criteria, JudoScotland may investigate, at any time any circumstances that indicate actual or potential non-compliance with this Policy by any Athlete (including Transgender Athletes).

Data Protection and Confidentiality

39. All cases arising under this Policy and in particular all Athlete (including Transgender Athlete) information provided to JudoScotland under this Policy will be dealt with in strict confidence at all times in accordance with the provisions of Data Protection Legislation and JudoScotland policies.
40. JS will not comment publicly on the specific facts of a pending or concluded case.



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