

# POLICY – GOVERNANCE & INTEGRITY

Policy Number GOV10 – Policy for the Inclusion of Transgender & Gender Diverse People in Community Netball




## Document Control

### Version Control

Date	Version	Details	Author
05.11.23	1	Create	Autumn Pierce (Head of Diversity & Inclusion)

## Approval

Delegation required for approval: Chief Executive Officer  
Name: Kate Davies Position: Chief Executive Officer

Signature:  Date: 14 November 2023

## Foreword

Netball Queensland (NQ) is committed to promoting principles of equity and respect to ensure diversity and inclusion are intrinsic to netball culture, as articulated in [NQ's Position on Diversity and Inclusion](#). NQ celebrates diversity and commits to proactively building safe, supportive, inclusive and fun environments for people of all genders and sexualities and has zero-tolerance for any form of bullying, harassment, discrimination, and/or vilification across its business. This includes (but is not limited to) homophobia, biphobia, transphobia, interphobia and sexism. NQ acknowledges the ways in which intersecting and interlinking forms of discrimination compound to amplify experiences of gender-based discrimination and commits to driving policy that reinforces the assertion there is a place in netball for everyone, exactly as they are, on or off the court.

The Policy for the Inclusion of Transgender & Gender Diverse People in Community Netball (**The Policy**) is informed by our organisational purpose to enrich people's lives through netball and strategic imperatives to remove structural barriers to participation. The Policy has been written by NQ in consultation with Pride in Sport and informed by the lessons and successes in netball and other sports who have introduced similar policies in the preceding years. NQ has been a proud member of Pride in Sport since 2021.

The Policy has been developed to set a standard for safety and inclusion of transgender and gender diverse people in all NQ community competitions and events, and in NQ Affiliate competitions and events where The Policy is adopted. Acknowledging community netball is often the first step on a pathway to elite sport, NQ will continue to actively engage with and support efforts to introduce a standard of inclusion for transgender and gender diverse people in programs aligned with the national pathway.

The Policy is in compliance with the Sex Discrimination Act 1984 (Cth) and Anti-Discrimination Act 1991 (Qld), which makes it unlawful to discriminate against a person because of their sex, gender identity, intersex status or sexual orientation. NQ also relies on information provided by the Queensland Human Rights Commission (QHRC) to understand human rights and responsibilities and support Affiliates in facilitating a safe, fair and inclusive experience for

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everyone playing, coaching, umpiring and meeting in our netball community, free of harassment and discrimination. The Policy is based on the Guidelines for the Inclusion of Transgender and Gender Diverse People in Sport (2019) published by Sport Australia, the Australian Human Rights Commission and the Coalition of Major Professional and Participation Sports.

### Definitions

Term	Definition
Affiliate	Association and/or League which is a not-for-profit incorporated association or company limited by guarantee that has an interest in netball and is affiliated by NQ.
Affirmation (or transition)	Processes or actions a person may go through to live their authentic gender. Everyone's affirmation or transition is different and highly personal, and it is best not to assume how one affirms their gender or transitions.  Transition/affirmation may or can include all, some or none of the following: <ul style="list-style-type: none"><li>• <i>Social affirmation</i>: coming out to one's family, friends, and/or co-workers.</li><li>• <i>Legal affirmation</i>: changing one's name and/or sex on legal documents.</li><li>• <i>Medical affirmation</i>: hormone therapy and possibly (though not always) some form of surgery.</li></ul>
Biphobia	Refers to negative beliefs, prejudices and stereotypes towards someone who is attracted to more than one gender, and includes bisexual invisibility or erasure, the idea of ignoring or minimising the validity and evidence of bisexuality.
Cis-gender	A person whose gender identity aligns with the sex assigned to them at birth.
Employees/Volunteers	People who are engaged on a paid or voluntary basis with, NQ or one of its affiliates or clubs that may include: managers, supervisors, full-time staff, part time staff, casual staff, temporary staff, student placements, apprentices, contractors, and sub-contractors.
Gender diverse	Umbrella term for gender identities expressing diversity beyond binary genders.
Gender identity	The way in which a person feels their gender, how they express or present this to others and how they want to be treated by others. Gender identity does not necessarily align with physical sex characteristics. A person's gender identity could be male/man, female/woman, neither, a combination, and can also change over time.
Homophobia	Refers to negative beliefs, prejudices and stereotypes that exist about people who are not heterosexual.
Interphobia	Refers to negative beliefs, prejudices and stereotypes that exist about people who possess naturally occurring intersex traits.

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Intersex	Someone born with natural occurring intersex traits – physical, hormonal or genetic features that are medically defined as neither wholly female or wholly male, or a combination of female and male, or neither female nor male. The term ‘intersex’ does not describe a person’s gender identity.
LGBTIQ+ (or variations)	Acronym for lesbian, gay, bisexual, transgender, intersex, and queer or questioning. It is used to refer collectively to these communities.
Misgendering	An occurrence where a person is described or addressed using language that does not match their gender identity. This can include incorrect use of pronouns (she/he/they) and at times other words that traditionally have gendered applications (pretty, handsome, etc.).
Non-binary	An umbrella term referring to an experience of gender that is not exclusively female/woman or male/man. A non-binary person may experience a mix of genders, experience gender on the spectrum between woman and man reference points, or identify outside the woman and man gender binary.
Participants	People who are involved in netball relevant to NQ, affiliates and or clubs, that include, but is not limited to coaches, officials, club administrators, volunteers, and spectators.
Players	People who play netball relevant to this organisation or club.
Pronouns	Grammatical means of referring to a person or persons. Binary pronouns are ‘she/her/hers’ and ‘he/him/his’. Some people use gender neutral pronouns such as ‘they/them/their’. The pronoun a person used to describe themselves generally reflects their gender identity. For many transgender and gender diverse people, using the correct pronouns is an important and validating part of their gender affirmation.
Sex	Biological, anatomical or any other physical sex characteristics. Sex exists on a spectrum of traits that include conventional ‘male’ and ‘female’ characteristics.
Transgender (or trans)	A general term used to describe a person who identifies with a different gender than the one they were assigned at birth based on their sex. A transgender person may identify specifically as transgender or just male/man or female/woman, or outside of these binaries. Being transgender does not imply any specific sexual orientation
Trans man/Trans	Trans men generally describes someone assigned female at birth who identifies as a man. This individual may or may not actively identify as trans.
Trans woman/Trans	Trans woman generally describes someone assigned male at birth who identifies as a woman. This individual may or may not actively identify as trans.
Transphobia	Refers to negative beliefs, prejudices and stereotypes that exist about transgender/trans and gender diverse people.
Victimisation	Subjecting or threatening to subject someone to any detriment because they have made a complaint about discrimination, sexual harassment or vilification.

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Vilification	Any public act that threatens or incites hatred or violence towards, severe ridicule of, or serious contempt for a group of people because of their (among other characteristics) gender identity, sexual orientation or intersex status.
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### 1. Purpose

**1.1** The Policy sets a standard for the safety and inclusion of transgender and gender diverse people in all NQ community competitions and events, and in NQ Affiliate competitions and events where The Policy is adopted, supporting them to affirm their gender and participate as their authentic selves. As such, NQ aims to enable people to participate in the gender category with which they identify, or in which they feel most comfortable participating, regardless of their sex assigned at birth.

**1.2** The Policy promotes compliance with relevant legislation that identifies gender identity as a protected attribute to make important distinctions between the ways in which community and elite netball are delivered.

**1.3** The Policy provides the foundation for community education about the importance and benefits of inclusive sport.

**1.4** NQ recognises research, insights and opportunities for the inclusion of transgender and gender diverse participants in sport is evolving and commits to continuous learning in this space to identify when amendments to The Policy are required. As such NQ will review The Policy every 12 months.

### 2. Guiding Principles

**2.1** Everyone in Australia has a fundamental human right to:

2.1.1 Equality;

2.1.2 Safety, respect and freedom from discrimination and harassment in all facets of life, including sport;

2.1.3 Privacy.

NQ recognises, affirms and respects all gender identities and understands its responsibility in upholding human rights in netball.

**2.2** Sex and gender identity are not inherent barriers to accessing sport. NQ understands inequalities as the outcomes of different social locations, power relations and power structures, and recognises the ways intentional and unintentional phobic behaviours within sport in Australia adversely and disproportionately affect some individuals. As the state's governing body NQ has a responsibility to prevent, mitigate and address transphobia to promote safe and welcoming spaces for everyone.

**2.3** Access to sport is important as sport has numerous physical, developmental, psychological, and social benefits. We know the benefits of inclusion within sport are significant, long-lasting, and potentially life changing.

**2.4** It is essential to work in partnership, and to be guided by and incorporate the voices and lived experiences of transgender and gender diverse people and communities in the development, implementation and monitoring of policy impacting transgender and gender diverse people.

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### 3. Scope

3.1 This Policy applies to:

3.1.1 NQ Board Members.

3.1.2 All NQ Employees/Volunteers.

3.1.3 All NQ Members, Players and Participants associated with affiliated netball associations and leagues engaging with the following NQ community competitions:

- a) State Age (Junior & Senior)
- b) Country Carnival
- c) Vicki Wilson Championship & Boys' Open
- d) NQ Social Competition at Nissan Arena

3.1.4 All NQ Members, Players and Participants, associated with affiliated netball associations and leagues, engaging with Affiliate competitions where the Affiliate has adopted The Policy.

3.2 Netball Queensland is a Member Organisation of Netball Australia (NA). Accordingly, in NA sanctioned competitions, NQ must comply with Netball Australia's policies and regulations.

Transgender and gender diverse athletes who seek to participate in Australian Elite Netball Competitions should refer to NA's Inclusion of Transgender and Gender Diverse Athletes in Elite Netball Competitions Policy. An Australian Elite Netball Competition is any netball match played as part of the:

- a) Australian 21/Under, 19/Under and 17/Under Team and Squad (and other Team and Squads as determined by Netball Australia);
- b) Australian Fast5 Team (or its successor);
- c) Australian Netball Diamonds Squad and Team;
- d) Australian Netball League (or its successor);
- e) National Netball Championships (including 19/Under and 17/Under and other championships as determined by Netball Australia);
- f) Netball Centre of Excellence (including Australian Development squad or equivalent, 21/Under squad, 19/Under squad, 17/Under squad, and other programs or squads as determined by Netball Australia); and Suncorp Super Netball (or its successor);
- g) Netball Queensland's HART Sapphire and Ruby Series (or its successor).

### 4. Player Eligibility

4.1 Players may participate in any NQ community competition and event, and any Affiliate competition and event where The Policy is adopted, in accordance with their gender identity. This is irrespective of the Player's legal sex classification. NQ recognises that gender affirmation can be diverse, and that each person's gender affirmation journey is diverse. As such, medical or surgical intervention is not required to recognise gender identity, and Players will never be asked to undergo medical examination for classification purposes.

4.2 Players must nominate their gender identity at the time of registration. If a gender other than female or male is chosen, information on gender or gender identity must only be collected when necessary to operate the competition.

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**4.3** The Player's gender identity shall determine the category they participate in, and as such:

4.3.1 Players identifying as male are welcomed and encouraged to participate in the male gender category.

4.3.2 Players identifying as female are welcomed and encouraged to participate in the female gender category.

4.3.3 Players who do not identify as male or female, including Players who identify as non-binary and Players who are gender diverse are welcomed and encouraged to participate in the gender category in which they feel most comfortable participating.

4.3.4 In mixed competition, the Player's gender identity is recognised and respected. To assist in the game management of a mixed competition in accordance with gender regulation, the competition organisers will liaise with coaches and officials to prioritise inclusion and safety while maintaining the integrity of the game rules. NQ acknowledges challenges may arise in the introduction of a process in the first instance and will work with coaches and officials to test and implement inclusion strategies. NQ is committed to building the capacity of its paid and volunteer workforce to navigate these situations.

**4.4** Each individual transition and/or affirmation is different, so consideration should be given to every individual. For some, changing their gender expression is enough to affirm their gender and they may not want, need or be able to seek medical intervention. This is sufficient for a person to be protected from discrimination on the basis of gender identity under the Anti-Discrimination Act. Discretion and understanding should be applied in respect to an individual not always feeling safe or comfortable to outwardly demonstrate their gender identity across all aspects of their everyday life.

**4.5** NQ recognises there is debate over whether transgender people possess physical advantages in sporting contexts, however sport is about more than just strength. Factors such as fitness, training, age and experience also play a part in making someone a good athlete.

**4.6** If issues of performance advantage arise NQ will seek advice on the applicable law in the particular circumstance. NQ acknowledges gendered rules in some Mixed Competitions will create challenges but is committed to working through these challenges, endeavouring to do so in consultation with transgender and gender diverse community members. NQ will proactively seek education and guidance on the practical steps the organisation can take to ensure transgender and gender diverse people feel safe, respected and included, and their welfare is at the forefront when navigating each scenario on an individual basis.

**4.7** Under Federal and State and Territory law it is unlawful to discriminate based on sex or gender identity in sport unless an exemption applies. Affiliates may be in breach of these laws if they do not follow these Player eligibility requirements.

## **5. Participant Eligibility**

**5.1** Participants can be involved in any NQ community competition and event, and any Affiliate competition and event where The Policy is adopted, in accordance with their gender identity. This is irrespective of the Participant's legal sex classification. NQ recognises that gender affirmation can be diverse, and that each person's gender affirmation journey is different.

**5.2** Participants in any NQ community competition and event, and any Affiliate competition and event where The Policy is adopted, must always be respected:

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5.2.1 Participants identifying as male must be treated as a male.

5.2.2 Participants identifying as female must be treated as female.

5.2.3 Participants identifying as non-binary must be treated in accordance with their gender identity as neither male or female.

**5.3** Respecting a Participant's gender identity includes avoiding mis-gendering, providing equitable access to facilities and offering inclusive uniform options.

### 6. Privacy and Confidentiality

**6.1** Sex, gender, gender identity and transitioning/affirming gender are private matters. All players, participants, employees, and volunteers must treat information surrounding a person's sex, gender, gender identity or transition as private and confidential, even if it has not been explicitly stated to be private and confidential. Information shall only be disclosed, if necessary, in accordance with the law, in particular privacy legislation and advice, including the provisions of the Privacy Act 1988 (Cth) and the Australian Privacy Principles (APPs).

**6.2** Any issues heard through a disputes tribunal, complaints handling processes, or any other mediation process must be treated as private and confidential in accordance with usual privacy and confidentiality steps outlined in [NA's Member Protection Policy \(NAMPP\)](#).

**6.3** Information on sex, gender, gender identity or transition must only be collected when necessary for a legitimate object of the organisation. An example of this legitimate object is officiating a mixed competition where gender regulation states there can only be one person identifying as male in each third of the court.

**6.4** Legal declarations such as a statutory declaration to verify characteristics such as name, age and gender can be accepted in place of identity documents like passports and birth certificates.

### 7. Collecting and Using Personal Information

**7.1** Without limiting the NQ Privacy Policy, Affiliates must:

7.1.1 Securely store personal information, in line with privacy legislation;

7.1.2 Not disclose the transgender identity (where assigned sex at birth does not align with gender identity), where known, of any Player or Participant without the express consent of the individual; and

7.1.3 Ensure correct names and pronouns are used in conversations, databases, documents and correspondence.

### 8. Language

**8.1** Traditional gendered pronouns are 'she/her/hers' and 'he/him/his'. Some people prefer to use non-binary or gender-neutral pronouns, such as 'they/them/their'. The pronoun a person uses to describe themselves generally reflects their gender identity.

**8.2** NQ commits to using respectful and inclusive language. Players, Participants, and Employees/Volunteers involved in our game are encouraged to use correct pronouns (for example, by asking individuals what pronouns they use and using pronouns consistently across verbal and written communications).

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8.3 NQ has a zero-tolerance stance on homophobic, biphobic and transphobic language.

### 9. Uniforms

9.1 Clothing is an important part of the ways many transgender and gender diverse people express and affirm their gender identity, and NQ supports the right of Players and Participants to dress according to their affirmed gender. To ensure stringent dress codes do not act as a barrier to participation, [NQ's Inclusive Uniforms Policy](#) helps improve the accessibility of netball and supports decisions to wear uniforms in line with gender identity.

### 10. Facilities

10.1 NQ supports the right of people to use changing and bathroom facilities which best reflects their gender identity.

10.2 Within NQ managed facilities, people are encouraged to use changing and bathroom facilities which best reflects their gender identity.

10.3 Where upgrades are undertaken in NQ managed facilities, NQ will consult and advocate for options that create safe and inclusive spaces for transgender and gender diverse people.

### 11. Management and Resolution of a Grievance or Complaint

11.1 In line with NAMPP, NQ does not tolerate any abuse, bullying, harassment, sexual misconduct, unlawful discrimination, victimisation or vilification against a person who identifies as transgender or gender diverse, or who is thought to be transgender or gender diverse. Descriptions and examples of prohibited conduct are outlined in Appendix 1 of the NAMPP.

11.2 If any transgender or gender diverse person feels they are being harassed, bullied or discriminated against by another person or organisation bound by NAMPP, they can make a complaint in accordance with clause 3.1 of the NAMPP. To lodge a grievance or make a complaint, see the [Netball Integrity Policy Framework, Conduct and Disciplinary Policy](#) (Schedule 2 – Complaint Form).

11.3 Any transgender or gender diverse Player or Participant who does not feel comfortable making a complaint to the Affiliate in the first instance is welcomed and encouraged to contact NQ directly for a confidential discussion and so NQ can support and facilitate the grievance or complaint process. The NQ representative listed in the Key Contacts and Support section has undertaken transgender and gender diverse awareness training.

11.4 NQ and its Affiliates will seek to deal with grievances and complaints in a fair, timely and transparent manner. NQ and its Affiliates will address grievances complaints in a manner that maintains confidentiality and will ensure no one is victimised for making, supporting or providing information about a complaint.

11.5 Where the grievance or complaint is handled by a Hearings Tribunal, NQ will advocate for, and facilitate where possible, the inclusion of a transgender or gender diverse person on the review panel.

11.6 All grievances and complaints will be treated seriously. Individuals may seek to resolve complaints through an informal process, a formal process or through making a complaint to a relevant external body. If a complaint is referred externally at any stage, the process under the NAMPP will immediately cease.



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## 12. Relevant Documents

**Member Protection Policy:** This NA document outlines examples of and protections against abuse, discrimination and harassment on the basis of many characteristics including gender, gender identity, sex and sexuality. Access the policy here - [NA's Member Protection Policy \(NAMPP\)](#)

**Netball Integrity Policy Framework, Conduct & Disciplinary Policy:** This NA document is the cornerstone of netball's response to the threats to the integrity of the sport and detail the expectations for the conduct of all Relevant Persons, including the procedures for managing, reporting, investigating and determining outcomes where a Relevant Person doesn't meet the expectations of the sport. Access the policy here - [INT001 - Netball Integrity Policy Framework Conduct Disciplinary Policy Version 1.0 1 January 2023.pdf](#)

**Guidelines for the inclusion of transgender and gender diverse people in sport:** These guidelines, developed by the Australian Sports Commission, the Australian Human Rights Commission and the Coalition of Major Professional and Participation Sports, have been used to inform the creation of the NQ's Inclusion of Transgender and Gender Diverse People in Community Netball Policy. The guidelines provide information on ways Affiliates can be inclusive and fully comply with legal discrimination protections outlined in the Sex Discrimination Act 1984. Access the guidelines here - [Guidelines for the inclusion of transgender and gender diverse people in sport \(2019\) | Australian Human Rights Commission](#)

**Inclusion of Transgender and Gender Diverse Athletes in Australian Elite Netball Competitions Policy:** In 2020 this Netball Australia policy established a framework for the inclusion of transgender and gender diverse athletes in Australian Elite Netball Competitions. Access the policy here - [Inclusion of Transgender and Gender Diverse Athletes in Elite Netball](#)

**Transgender & Gender-Diverse Inclusion Guidelines for HP Sport:** Prepared by the Australian Sports Commission, national guidelines were released in 2023 promoting a ground-breaking approach that encourages sports to develop policies that incorporate transgender and gender-diverse athletes at the elite level. The advice emphasises the importance of sport-specific policies. Access the guidelines here - [Transgender-and-Gender-Diverse-Inclusion-Guidelines-for-HP-Sport.pdf \(ais.gov.au\)](#)

## 13. Key Contacts and Support

**13.1** For a confidential conversation with an NQ representative, contact:

Autumn Pierce (she/her)  
Head of Diversity & Inclusion  
Netball Queensland  
E: [autumn.pierce@netballq.org.au](mailto:autumn.pierce@netballq.org.au)  
M: 0466 038 056

NQ-specific LGBTQ+ information can be found here: <https://qld.netball.com.au/pride-sport>

**13.2** For external support for transgender and gender diverse individuals, NQ recommends the following LGBTQ specific providers:

a) **Open Doors Youth Service** is based in Brisbane and supports LGBTIQAP+ youth and their families through the provision of case management and external referrals,

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alcohol and other drug support, advocacy, assistance with housing, education and employment, and emergency supply of food and clothing.

Phone: (07) 3257 7660; Web: <https://www.opendoors.net.au/>

b) **QLife** provides anonymous and free LGBTI peer support and referral for people wanting to talk about sexuality, identity, gender, bodies, feelings or relationships.

Freecall: 1800 184 527; Web: [www qlife.org.au/get-help](http://www qlife.org.au/get-help)

c) **Lifeline** provides 24-hour crisis support and suicide prevention services to all Australians experiencing a personal crisis.

Phone: 13 11 14; Web: [www.lifeline.org.au/gethelp](http://www.lifeline.org.au/gethelp)

## 14. Additional Resources

14.1 Additional resources are as follows:

a) **TransHub** is an initiative from ACON Health, Australia's largest LGBTQ health organisation specialising in community health, inclusion and HIV responses for people of diverse sexualities and genders. Web: [www.transhub.org.au](http://www.transhub.org.au)

b) **Pride in Sport Australia** is a national sporting inclusion program specifically designed to assist sporting organisations at all levels with the inclusion of LGBTQ employees, athletes, coaches, volunteers and spectators. Web: [www.prideinsport.com.au](http://www.prideinsport.com.au)

c) **Trans Pride Australia** is a social and support group for Trans and Gender Diverse people and their loved ones in Australia. QLife ([www qlife.org.au](http://www qlife.org.au)) QLife provides anonymous and free LGBTQ peer support and referral for people in Australia wanting to talk about sexuality, identity, gender, bodies, feelings or relationships. Web: [www.transprideaustralia.org.au](http://www.transprideaustralia.org.au)

d) **Australian Human Rights Commission** is an independent statutory organisation, established by an act of Federal Parliament. We protect and promote human rights in Australia and internationally. Web: [www.humanrights.gov.au](http://www.humanrights.gov.au)