



Policy on Transsexual People Participating In Domestic Competitive Climbing

This policy was approved by the Board on 6 October 2016 and published to members via the Mountaineering Scotland and ClimbScotland websites on 16 January 2017

1 - INTRODUCTION

1.1 Climbing is a sport in which the physical strength, stamina and/or physique of an average person of one sex puts them at an advantage or a disadvantage to an average person of the other sex as competitors in a Climbing competition. Accordingly, Mountaineering Scotland has produced this policy to manage enquiries from, or about, transsexual people who wish to be registered for the purpose of participation in domestic climbing competitions in their affirmed sex.

1.2 This policy only applies to domestic climbing competitions as climbers seeking to represent Scotland/Great Britain in International Climbing would be governed by IFSC regulations.

2 - PRINCIPLES

2.1 Mountaineering Scotland is committed to the principles of equality in sport. It aims to ensure that all people within climbing/mountaineering, irrespective of their age, sex reassignment, disability, marriage or civil partnership, pregnancy, maternity or breastfeeding status, race (including ethnic origin, nationality and colour), religion or belief, sex, social status or sexual orientation, have a genuine and equal opportunity to participate in Climbing at all levels and in all roles.

2.2 Mountaineering Scotland will ensure that there will be open access to all those who wish to participate in any aspect of climbing/mountaineering activities and that they are treated fairly, equally and with respect.

2.3 Under current UK legislation, Competition Climbing as a sex-affected sport, may be regulated by Mountaineering Scotland in respect of the participation of a transsexual person; Mountaineering Scotland is also responsible for regulating the participation of persons as competitors in Climbing Competitions to ensure fair competition and having due regard for the safety of all competitors.

2.4 Mountaineering Scotland wishes to try, as far as is possible, to enable transsexual people to compete in their affirmed sex while balancing this with its role in providing fair participation and competition and protecting the integrity of Male and Female competitions.

2.5 In addition to those wishing to compete, it also has a responsibility to protect those who may be staff or spectators, and who may be transsexual people, or perceived to be so, or associated with them, such as family members. However this particular document focusses only on climbers, or would-be climbers, in domestic Climbing Competitions.

UNDERSTANDING THE TERMS WE USE

3.1 This policy uses a number of terms associated with transsexual people and climbing. We recognise that there are considerable differences in those that are used, and we have adopted the following terms.

Transgender person

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

Gender reassignment

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

Transsexual person

This term refers to someone with the protected characteristic of gender reassignment. We use the term transsexual man to describe a female-to-male transsexual person and transsexual woman to describe a male-to-female transsexual person. This is not the same as a cross-dresser or transvestite, nor is it the same as sexual orientation.

3.2 The reassignment of a person's gender may include undergoing medical gender reassignment treatments. However, it is not necessary for somebody to have undergone medical treatment in order to have the characteristic of gender reassignment. A transsexual person may be proposing to undergo, be in the process of undergoing or have completed a reassignment of their sex. Gender reassignment is a personal process (that is, moving away from one's birth sex to the preferred sex), rather than a medical process.

3.3 We use the term 'affirmed' or 'acquired gender' to describe the sex that the person has transitioned/is transitioning to as opposed to that which was assigned at birth.

4 - POLICY TERMS

4.1 This policy is effective from 13 January 2017.

4.2 Mountaineering Scotland has adopted the following policy with regards to eligibility for the purpose of participation by male or female transsexual people in domestic competitive climbing.

4.3 All enquiries will be passed to the Company Secretary who will notify the Registrations Department and a specialist medical group appointed by the Mountaineering Scotland. Enquiries and any supporting evidence provided will be handled sensitively and confidentially and everyone involved will understand the confidentiality obligations that are associated with handling such a matter and in line with the Data Protection Act 1998 and, where relevant, the Gender Recognition Act 2004.

4.4 Pursuant to Article 3.7 of the Articles of Association of the Mountaineering Council of Scotland [see footnote to this policy for the text] individuals undergoing gender reassignment may be eligible for participation in competition climbing in their affirmed sex PROVIDED THAT such individuals have satisfied the requirements of this policy. The individual will be asked to permit their GP and/or Consultant to disclose sufficient information to Mountaineering Scotland (including such other information, records or other material as Mountaineering Scotland may require from time to time) to allow it to determine that the following conditions have been met:

Affirmed sex with reference to domestic competition run under the auspices of Mountaineering Scotland and / or ClimbScotland and in accordance with its regulations and policies:

Transsexual male – over 16 (female-to-male transsexual person) *May compete in his affirmed sex in male domestic competition if his blood-measured testosterone level is within the range of his affirmed sex and this is confirmed annually by a suitably qualified medical representative appointed by Mountaineering Scotland*

Or

If he has not started hormone treatment he can participate in any female domestic competition

Transsexual male – under 16 and post- puberty

May compete in any male or mixed-sex domestic competition subject to age eligibility and subject to an individual case-by-case review undertaken by Mountaineering Scotland

Or

If he has not started hormone treatment he can participate in any female domestic competition

Transsexual male – pre-puberty

May compete in any male domestic or mixed-sex competition subject to age eligibility and subject to confirmation of his stage of pubertal development

Transsexual woman – over 16 and post- puberty (male-to-female transsexual person)

May compete in female or mixed-sex domestic competition by providing evidence that her hormone therapy has brought her blood-measured testosterone levels within the range of her affirmed sex

Or

If she has not started hormone treatment she can participate in any male domestic competition

Transsexual girl – under 16 and post- puberty

May compete in any female domestic or mixed-sex competition subject to age eligibility and subject to an individual case-by-case review undertaken by Mountaineering Scotland

Or

If she has not started hormone treatment she can participate in any male domestic competition

Transsexual girl – pre-puberty

May compete in any female or mixed-sex domestic competition subject to age eligibility and subject to confirmation of her stage of pubertal development.

4.5 In order to ensure compliance with Article of Association 3.7 and this policy a medical specialist appointed by Mountaineering Scotland will consider the evidence provided by the individual in relation to the above criteria on a case-by case basis.

4.6 A person shall not be entitled to compete in their acquired sex until such time as they have provided evidence that the criteria set out above have been met to Mountaineering Scotland's satisfaction.

For further information and guidance please contact:

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Policy review: The Board will review this policy on a minimum 3 yearly basis to ensure that it meets the organisation's Equality Policy and related objectives.

Footnote: Article 3.7 OPENNESS OF THE COMPANY

Membership of the Company is open to all who meet the criteria in Articles 3.2 to 3.6. No applications will be refused on other than reasonable grounds and there will be no discrimination on grounds of any of the protected characteristics set out in section 4 of the Equality Act 2010. The Company will respect the rights, dignity and worth of every member.

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