



LGBTQIA+ Inclusion Policy COMPANION GUIDE



THE UNIVERSITY OF
MELBOURNE

Companion Guide: Introduction

FOREWORD

I am pleased to present the LGBTQIA+ Inclusion Policy and Companion Guide. Endorsement of the Policy marks an important milestone in our Pride journey, and is the culmination of the efforts pioneered and driven by the University of Melbourne affiliated sporting clubs. The focus on LGBTQIA+ inclusion at MU Sport began in 2015 with the “Gay, That’s Okay” initiative, driven by the work of brothers Charles and Lachlan Beaton in our University of Melbourne Football team. Their pioneering work helped to inspire other University of Melbourne affiliated sports clubs to run Pride themed rounds in a show of support to LGBTQIA+ identifying team members and the tradition has continued to grow since its inception.

The “Gay? That’s Okay” initiative also provided inspiration to MU Sport and directly led to the development of our own Pride in Sport program. This program is our formal commitment to actively work in creating a safe and inclusive environment for LGBTQIA+ identifying people across our sports, fitness, and recreation activities. The MU Sport LGBTQIA+ inclusion policy outlines our organisational stance and practices required to ensure a safe environment.

To develop the policy, extensive consultation was undertaken with members of the MU Sport staff, Board, clubs and University staff and academics. The Policy also engaged the expertise of leading LGBTQIA+ community members, who provided valuable firsthand insight into their lived experiences and how this can be best reflected within policy practices. The policy was endorsed by the Board in August 2019.

This Guide has been written to support the Inclusion Policy and is designed to be used as a resource and handbook for the University of Melbourne affiliated sports clubs to implement the outlined inclusive practices. We are proud to help create an inclusive sport environment at the Australian university level, and we encourage all clubs to continue to champion the safe and equal inclusion of LGBTQIA+ identifying people within their sport.

Timothy Lee

Director of Sport

Melbourne University Sport

PURPOSE

At the University of Melbourne, sport is for everybody.

The development of the Melbourne University Sport LGBTQIA+ Inclusion Policy is designed to uphold this message of inclusion. The policy provides a practice framework to ensure inclusion of LGBTQIA+ identifying people in sport. The outlined practices have powerful and positive implications for LGBTQIA+ people, who previously may have faced barriers to equally participate in sport.

These guidelines have been written to support the LGBTQIA+ Inclusion Policy and are designed to be used as both a resource and a guide for University of Melbourne affiliated sports clubs to implement the outlined inclusive practices. These inclusive practices provide the foundations for a supportive and inclusive culture in sport for LGBTQIA+ people.

We recommend this companion guide be used by Club personnel to implement inclusive practices that adhere to the policy. An effective strategy for achieving this is to nominate a Pride Ambassador who has the responsibility of acting as a champion for inclusion at your club. Your Pride Ambassador can take guidance from the details in this document, and work with MU Sport’s Pride and Diversity Coordinator to implement supporting practices specific to your sport.

The contact details for the Pride and Diversity Coordinator are:

Chris Bunting

Email: chris.bunting@unimelb.edu.au, phone: (03) 8344 7718

We congratulate you on the journey so far and joining us as the vision for inclusion in sport continues to evolve. An inclusive and diverse sporting community is a strong community of benefit to all!

THE LGBTQIA+ COMMUNITY

The LGBTQIA+ (lesbian, gay, bisexual, transgender, queer/questioning, intersex and asexual) community is a broad grouping of people who exist within the minority of three personal attributes: sexual orientation, gender identity, and intersex status (SOGII).

While sexual orientation, gender identity and intersex status are all protected attributes under both state and national legislation, the effort to achieve social equality for this minority community continues. Sport is a driver of social change and as such, needs to take proactive steps to ensure an inclusive culture for LGBTQIA+ identifying people. Doing so will help ensure that LGBTQIA+ people can prosper equally from the physical, mental and social health benefits afforded by sport.

Gender identity is an individual's understanding of their gender as it relates to societal norms. A person's gender may align with the sex to which they are assigned at birth (cis-gendered), or it may be the opposite (transgender). A gender identity may also fall outside the strict division of 'man/boy' and 'woman/girl', and for the purposes of this document will be referred to under the umbrella term of 'non-binary'. All gender identities are equally valid and should be equally represented.

An intersex variation is defined as a biological variation which does not fit the strict medical definitions for 'male' or 'female'. Intersex variations are broad: there are more than 200 documented genetic, hormonal and anatomical variations.

An example relevant to sport is hyperandrogenism, the production of testosterone in women at levels similar to those typically found in men. Intersex people are protected under the federal Sex Discrimination Act from discrimination based on these attributes.

Practice Tip:

There's more to sporting ability than one's testosterone. Testosterone can impact a person's physical strength, however there are many more factors that contribute to an athlete's sporting performance.

Hyperandrogenism is a naturally occurring intersex variation which elevates testosterone levels above normal/average rates in some women. There is currently debate in elite level sport as to how best to include women with this variation while maintaining the integrity of the female competition.

This debate does not have the same implications in community sport as it does at the elite level. In community sport, emphasis is placed on participation rather than elite-level competitive fairness. As such, sporting codes should be inclusive of people with intersex variations in community-level competitions.



Policy Content

POLICY SCOPE

MU Sport's LGBTQIA+ Inclusion Policy is a comprehensive policy designed to cover all areas of our sport. This includes:

- University of Melbourne (UoM) affiliated competitive, recreational and instructional sports clubs
- Campus-based social sporting competitions
- Intersport sporting competitions
- Intercollegiate sporting competitions
- MU Sport fitness services – inclusive of our facilities and group fitness classes
- Social and other events under the MU Sport banner

The policy applies to all MU Sport staff, participants, patrons, coaches, officials and volunteers who engage in any of the above areas.

The policy content **does not apply to externally sanctioned competitions** which UoM affiliated clubs may participate in. These competitions are subject to the policies and procedures of the external sporting codes. However, the policy outlines **codes of behaviour** regarding discrimination which are to be upheld by participants representing the University of Melbourne at external events, either directly or through affiliation.

1. ANTI-DISCRIMINATORY STANCE

This section of the policy is designed to protect LGBTQIA+ identifying people from any discrimination they may experience when engaging in sport. It outlines behavioural expectations that align with a **zero-tolerance stance towards discrimination based on LGBTQIA+ attributes**.

The policy covers *direct, indirect and casual* cases of discrimination against LGBTQIA+ protected attributes:

- Direct** – Using homophobic slurs in a targeted way against an athlete who openly identifies as same-sex attracted
- Indirect** – Such as systematic procedures which deny transgender athletes the option to participate in the gendered sport most appropriate to them
- Casual** – Using language like “that’s so gay” in casual conversation.

The policy acknowledges that all cases of discrimination are harmful, regardless of intent. In sport, casual discrimination is the most common form of discrimination in relation to LGBTQIA+ attributes. As such, a strict zero-tolerance approach towards casual discrimination is vital to ensuring that we provide an inclusive and respectful space.

Case Study:

You overhear some teammates in the changeroom saying a member on the opposing team “plays like a homo”. You are concerned with this type of language being used. How could you respond?

Regardless of whether or not there are same-sex attracted athletes on your team, this is a case of **casual discrimination** which needs to be addressed. Using language of this kind can be harmful to same-sex attracted people, whether they are the target of the comments or not. It’s important to ‘call out’ this culture of discrimination but to do so in a way that you are comfortable with and that is consistent with your team’s culture. You can now ‘call out’ discrimination with the backing of the MU Sport LGBTQIA+ Inclusion Policy.



Case Study:

A spectator is shouting targeted homophobic slurs at a player on your team. You are unsure if the player they are targeting is same-sex attracted or not. What action might you take?

You should take action immediately. If the umpires/referees haven't heard, then alert them – it's their role to keep everyone safe. Targeted abuse **is an example of direct discrimination and is a clear safety risk to anyone who is same-sex attracted**. If this occurs at a MU Sport facility or venue, the spectator's behaviour is in clear breach of the policy and needs to be stopped. Similarly, if the person is representing the University or MU Sport through affiliation, their behaviour breaches the policy and must be stopped.

Policy Content

2. GENDER AFFIRMING PRACTICES

ELIGIBILITY

Traditionally, sporting competitions have been binary in nature with the separation of 'Men's' and 'Women's' competitions. This separation has provided men and women athletes with a protected opportunity to compete and achieve success. However, recently there has been a shift in how Women's sport is defined and calls for the equal inclusion of gender diverse women and women of intersex status. It's important to note that nobody "changes gender" to gain an unfair advantage in sport.

The MU Sport LGBTQIA+ Inclusion Policy states that for all competitions governed by MU Sport, people can participate on the basis of gender identity. They can self-select the most appropriate competition for them, based on their gender identity. This applies to both single-sex competitions and mixed competitions with gender-based rules.

This aligns with the Victorian Equal Opportunity Act, which states that people should be able to participate in sport on the basis of gender identity, unless an exception criterion which allows for legal discrimination can be met. For MU Sport-sanctioned competitions, none of these exception criteria is relevant nor will be applied. Some external competitions may apply these exceptions, and UoM affiliated clubs will need to abide by these in order to compete. We recommend that you familiarise yourself with the policies and practices of your relevant sporting code surrounding eligibility.



Photo: Stephanie Comelli

Case Study:

You are the coach of a team with a transgender athlete. After the match, the opposition team questions the referee about the fairness of this athlete competing on your team. The referee appears unsure of how to respond. What could you say to best address the opposition's concerns?

In this situation, **it's important for you to actively support the transgender athlete on your team** and explain that they cannot be legally discriminated against competing. If the competition is sanctioned by MU Sport, the athlete is equally able to participate. If the competition is external to MU Sport, it should have its own rules on trans and gender diverse inclusion. It may also be worth briefly discussing some of the myths around 'fairness' of transgender athletes competing in gender-segregated sports, if you feel comfortable doing so. Information can be found in the [Victorian Equal Opportunity and Human Rights Commission Guidelines to the Inclusion of Trans and Gender Diverse People in Sport](#).



Case Study:

A transgender woman self-identifies to you, and explains she would like to join your club to compete in the Women's team. What might you discuss?

The first thing you can do is **assure her that the club is friendly and inclusive towards LGBTQIA+ people** and that she will be supported to participate and compete equally. She will be able to participate in any MU Sport-sanctioned Women's competition without question. In the case of external competitions, you will need to check the relevant policies of your sport's governing body. Most will allow participation based on gender identity at community-level competitions but may have restrictions at the more elite end.

Policy Content

FACILITIES

Anyone participating in sport needs access to appropriate changing and bathroom facilities, and everyone should be able to use these facilities without stress. In MU Sport venues, people have the right to use the facilities that best align with their gender identity and they are protected from any discrimination they may experience in doing so. Building a culture of respect within our facilities and maintaining the safety of these spaces is a priority.

Practice Tip:

There is no evidence to support the notion that trans and gender diverse people use toilets, change rooms or other facilities to assault or harass others.

Conversely, between 40% and 70% of trans and gender diverse people report being victimised, assaulted or harassed in toilets and change rooms. Best practice is to provide private all-gender facilities; however, this can be difficult in some venues. When this is the case, you are encouraged to actively foster a culture of respect within facilities and allow people the maximum amount of privacy possible.

Reinforce that any discrimination in changing facilities will not be tolerated.



UNIFORMS

For some trans and gender diverse athletes, a lack of choices surrounding uniforms may act as a barrier to ongoing participation. This is especially true for athletes who may be undergoing different stages of transition. Uniform requirement rules should cater to all types of bodies, and players should be encouraged to choose which uniform option is most appropriate or comfortable for them. Where possible, various uniform options which still comply by wider sporting code rules should be offered to all players and athletes.



COLLECTION OF PERSONAL INFORMATION

All registration forms should provide inclusive response options, especially for gender. As a minimum, the following response items when asking for gender are recommended:

- Male
- Female
- Non-binary/gender fluid
- Different identity

All information collected regarding gender must be kept private and confidential. If it becomes relevant in relation to external sporting code rules and regulations, it must only be discussed with consent, and with the people directly involved. It is up to individuals themselves to decide how or if they communicate their gender identity to others.

It is also recommended that preferred pronouns be recorded and updated as required to prevent mistakes.

Case Study:

There is a new person registering with your club. They question why there is an option for 'non-binary' under gender on the form and ask what this means.

How could you respond?

Inform the person that your club is inclusive to all people, regardless of gender, and that your registration forms have been updated to reflect this. You may explain that non-binary is an umbrella term for people who don't identify within the strict binary of either 'boy/man' or 'girl/woman'.

The option is relevant to gender diverse people but shouldn't be a cause for concern for those to whom it doesn't apply.



Photo: Stephanie Comelli

Case Study:

You're officiating a competition, and one team has a player who identifies as non-binary. You know this from the registration form, which you have access to as a club administrator. Another player asks you if that person is transgender. They express that "they don't care" and that they are "...just asking out of curiosity". How should you respond?

The information that the curious onlooker is requesting is strictly confidential. They should be told that everybody has a right to play, and that it's not appropriate to share information on other players. Remind the player asking the question that they are participating in an inclusive sport for all and encourage them to focus on the game instead.

Policy Content

GRIEVANCES AND REPORTING PATHWAYS

The LGBTQIA+ Inclusion Policy states that all related grievances should be directed to the Pride and Diversity Coordinator as a starting point. They will offer advice on how to immediately handle the situation, and what some next steps may look like. There are support services at the University that those involved in the grievance can be connected with, where necessary.

The contact details for the **Pride and Diversity Coordinator** are:

Chris Bunting

Email: chris.bunting@unimelb.edu.au

Phone: (03) 8344 7718

RESOURCES

The resources listed below may help you gain a better understanding of the issues associated with LGBTQIA+ inclusion in sport and associated best practice. All resources have been used to inform the development of the MU Sport LGBTQIA+ Inclusion Policy and this companion guide.

1. Sport Australia's "Guidelines for the inclusion of transgender and gender diverse people in sport" (2019)
2. Victorian Equal Opportunity & Human Rights Commission's "Guidelines: Trans and Gender Diverse Inclusion in Sport – Complying with the Equal Opportunity Act" (2017)
3. Sydney Convicts (19 April 2014) Anti-Homophobia & Inclusion Framework for Australian Sports. Sydney. Sydney Convicts
4. Intersex Human Rights Australia's "Intersex for Allies" (2018)
5. Denison E, Kitchen A. (2015). Out on the Fields: The first international study on homophobia in sport. Nielsen, Bingham Cup Sydney 2014, Australian Sports Commission, Federation of Gay Games.



ACKNOWLEDGEMENTS

Melbourne University Sport would like to acknowledge and thank the following people who provided valuable insight and assistance in developing the LGBTQIA+ Inclusion Policy and associated guidelines:

- Those who participated in the community consultation process: Dr Megan Sharp, Michelle McNamara, Lee Hazel, and James Lolicato, who shared their knowledge, expertise and lived experiences.
- University of Melbourne affiliated sports clubs in attendance at the 2019 May Club Forum Review for actively engaging in policy development.
- The Melbourne University Sport Executive Management Group and the Melbourne University Sport Board for the valuable feedback and guidance provided through policy development, and their leadership in endorsing the policy.
- Melbourne University Sport staff who provided insight, expertise and support throughout the development of the policy.
- ACON and Pride in Sport for informing best practices highlighting the need for policy development and implementation.



LGBTQIA+ Inclusion Policy

OVERVIEW

Melbourne University Sport (MU Sport) recognises and celebrates the richness that diversity brings to our sports clubs, teams and programs. As such, MU Sport is committed to providing a safe and welcoming environment for all people to participate regardless of sexual orientation, gender identity or intersex status, and that the provision of our services, programs, competitions and facilities do not discriminate against people based on these protected attributes.

DEFINITIONS

LGBTQIA+	Acronym referring to the lesbian, gay, bisexual, transgender, queer or questioning, intersex and asexual community. The plus is referring to people of diverse orientations or gender identities which aren't reflected within the acronym.
SOGII	Acronym for sexual orientation, gender identity and intersex status, typically used when referring to human rights and anti-discriminatory law.
LESBIAN	Refers to women who have a primary sexual and romantic attraction to women.
GAY	Refers to men who have a primary sexual and romantic attraction to men, as well as women who have a primary sexual and romantic attraction to women.
BISEXUAL	Refers to a person who has a primary sexual and romantic attraction to both men and women.
TRANSGENDER	Refers to a person whose gender identity is opposite to that of which they were assigned at birth.
QUEER	A reclaimed term which is adopted by some as a self-identification to signify that their gender identity, gender expression and/or sexual orientation doesn't conform to social norms. Historically used as a derogatory term, its use today is self-determined.
INTERSEX TRAIT	Umbrella term for naturally occurring biological (physical, hormonal or genetic) variations which do not meet medically defined norms for female or male.
ASEXUAL/ AROMANTIC	Refers to people who lack a sexual and/or romantic attraction to people of any gender.
GENDER IDENTITY	An individual's understanding of their own gender as it relates to societal norms. Gender identity is self-determined and separate to biological sex assigned at birth. All gender identities are valid and are protected by state and national legislation.
NON-BINARY	A common gender identity for people who don't solely identify within the binary of man and woman.
HOMOPHOBIA	Discriminatory behaviour driven by homophobia, an irrational hatred to or aversion of people who are homosexual (gay or lesbian) or who are perceived to be homosexual. Includes openly discriminatory or offensive behaviour, as well as a general attitude of intolerance, ignorance or disregard.
BIPHOBIA	Discriminatory behaviour driven by biphobia, an irrational hatred to or aversion of people who are bisexual or who are perceived to be bisexual. Includes openly discriminatory or offensive behaviour, as well as a general attitude of intolerance, ignorance or disregard.

TRANSPHOBIA	Discriminatory behaviour driven by transphobia, an irrational hatred to or aversion of transgender people or people who are perceived to be transgender. Includes openly discriminatory or offensive behaviour, as well as a general attitude of intolerance, ignorance or disregard.
QUEERPHOBIA	Discriminatory behaviour driven by queerphobia, an irrational hatred to or aversion of people who identify as queer or who are perceived to be queer. Includes openly discriminatory or offensive behaviour, as well as a general attitude of intolerance, ignorance or disregard.
INTERPHOBIA	When a person of intersex status is treated in a discriminatory way, based on their intersex variations.
DIRECT DISCRIMINATION	Treating a person less favourably compared to another person in the same circumstance because of a personal characteristic e.g. the purposeful use of derogatory language when communicating with someone who identifies as part of the LGBTQIA+ community.
INDIRECT DISCRIMINATION	Imposition of unreasonable requirements, conditions or practice which disadvantages people with a certain personal characteristic compared to others e.g. not providing appropriate changing facilities for trans or gender diverse people.
CASUAL DISCRIMINATION	Discriminative behaviour which doesn't have the intent to cause harm, but regardless may be equally harmful as direct discrimination e.g. using the phrase "that's so gay".

OBJECTIVES

- To affirm MU Sport's commitment to supporting the inclusion of LGBTQIA+ identifying people in sport.
- To ensure that MU Sport provides a safer and more welcoming environment for LGBTQIA+ identifying people by eliminating discriminative behaviour within our services and programs.
- To apply standards that enforce a zero tolerance of discriminative behaviours based on sexual orientation, gender identity, or intersex status.
- To affirm MU Sport's support of gender affirming practices in our sport competitions, programs and operations.
- To outline MU Sport grievance procedures that are consistent with wider University of Melbourne (UoM) policy.

SCOPE

For the purposes of this policy, discriminative behaviour is inclusive of homophobia, biphobia, transphobia, queerphobia and interphobia.

This policy applies to:

- All MU Sport staff, inclusive of: permanent, part-time, contractual and casual employees.
- MU Sport affiliated clubs, inclusive of their: committees, members, coaches, staff, volunteers, and spectators; while playing, training or participating in affiliated club sanctioned activities.
- Fitness and recreation service staff and patrons, inclusive of: members and casual users; whilst using MU Sport facilities and/or participating in fitness and recreation classes.
- Participants in MU Sport delivered sports competitions, inclusive of: social sport and intercollegiate competitions.
- Participants representing the University of Melbourne at intervarsity, national and international competitions.

LGBTQIA+ Inclusion Policy

POLICY

In accordance with the **University of Melbourne Student Conduct Policy (MPF1324)** and **Appropriate Workplace Behaviour Policy (MPF1328)**, MU Sport upholds a zero tolerance of discriminatory behaviour towards people based on sexual orientation, gender identity or intersex status (SOGII).

MU Sport recognises that:

- a. Verbal and physical discriminatory behaviour are held equally to account, and both actions are subject to reporting and remediation.
- b. Both direct and indirect discrimination exists, and both actions are subject to reporting and remediation.
- c. Casual discriminatory behaviour, regardless of intent, is equally subject to reporting and remediation.

In alignment with the **Victorian Equal Opportunity & Human Rights Commission guidelines for Trans and Gender Diverse Inclusion in Sport**, and the **National Guidelines for the Inclusion of Transgender and Gender Diverse People in Sport**, MU Sport upholds gender affirming practices to facilitate participation of transgender and non-binary people within MU Sport sanctioned sport, fitness and recreation services:

- a. For single-sex competitions, people can participate in the competition which best reflects their gender identity. This is in accordance with the Victorian Equal Opportunity Act, which protects people against discrimination in sport on the basis of gender identity unless an exception criteria for legal discrimination can be applied (see appendix item 7.1).
- b. For mixed-gender competitions, people can participate in a manner which best reflects their gender identity. Rules for mixed-gender competitions will be applied on the basis on gender identity.
- c. Within MU Sport facilities, people have the right to use changing and bathroom facilities which best reflects their gender identity.
- d. People participating in sports may wear the uniform of their choosing as it aligns with their gender identity, so long as it abides by wider sporting code attire rules.
- e. Collection of personal information will be conducted in an inclusive manner, and any information that is collected will be handled with confidentiality.

In accordance with the federal **Sex Discrimination Act (1984)**, MU Sport recognises that being of intersex status is a protected attribute which is separate but equal to gender identity and sexual orientation. As such, we aim to encourage participation of people with intersex variations within MU Sport sanctioned sport, fitness and recreation services:

- a. Women with intersex variations are able to participate in female-only sporting competitions.
- b. While separate to gender identity, it is recognised that intersex people may face similar barriers to participation in sport that trans and gender diverse people do. Therefore, the gender affirming practices outlined above are aimed to also support participation of intersex people for which they may apply.

GRIEVANCE PROCEDURES

To protect the safety and wellbeing of LGBTQIA+ individuals, MU Sport strongly encourages reporting of any discrimination based on SOGI by victims and/or witnesses. Reports of discrimination can be made directly to the Pride and Diversity Coordinator, who will act in accordance with University of Melbourne policies and procedures. Confidentiality will be maintained throughout the grievance procedure to protect the privacy of individuals involved.

The contact details for the **Pride and Diversity Coordinator** are:

Chris Bunting

Email: chris.bunting@unimelb.edu.au

Phone: (03) 8344 7718

APPENDIX

a. Exceptions under Victorian Equal Opportunities Act and how they relate to single-sex competitions.

STRENGTH, STAMINA OR PHYSIQUE	<p>Discrimination is lawful if an advantage of strength, stamina or physique of one competitor over another can be clearly demonstrated, specific to the sporting competition in question.</p> <p>If a code is proposing to exclude a trans or gender diverse person on this basis, it is recommended:</p> <ul style="list-style-type: none">• To carefully consider the level of competition (i.e. necessity to discriminate at non-elite levels)• Seek legal advice on the matter
PROGRESSING TO AN ELITE LEVEL COMPETITION	<p>Discrimination may be lawful if participation in single-sex competition is required for progression to elite-level competition (national or international). This will likely require an exemption from the Commonwealth Sex Discrimination Act.</p>
FACILITATING PARTICIPATION	<p>Discrimination may be lawful when a single-sex competition is designed to facilitate participation of one sex where there have previously been barriers to prevent this e.g. running a Women's AFL competition to encourage women to participate in football. If proposing to exclude trans or gender diverse people on this basis, you may need an exemption from the Commonwealth Sex Discrimination Act and should also consider:</p> <ul style="list-style-type: none">• The nature/purpose of the activity• The consequences on the person/s you are proposing to exclude• If there are other opportunity for people to participate in the activity

(adapted from the VEOHRC guidelines for trans and gender diverse inclusion in sport)

