



Ballarat Cricket Association Governing Procedure 11 Trans and Gender Diverse Participation

1. Scope

These Guidelines apply to:

- Ballarat Cricket Association Board members and company directors
- All Staff, including: Managers and supervisors; full time, part time or casual, temporary or permanent staff
- How Ballarat Cricket Association provides services to clients and how it interacts with other members of the public
- Aspects or participation in community cricket including team selection and participation, club membership and service delivery
- On-site, off-site or after hours work: work-related social functions; conferences – wherever and whenever staff may be as a result of their Ballarat Cricket Association duties
- Staff/ volunteer treatment of other staff/ volunteers, of clients, customers and other members of the public encountered in the course of their Ballarat Cricket Association duties.
- Volunteers, who are protected from sexual harassment under the equal opportunities act 2010
- Member clubs of the Ballarat Cricket Association

2. Aim

Ballarat Cricket Association is committed to providing a safe, supportive and respectful environment for staff, players, customers, clients and members of the public. All Ballarat Cricket Association staff and associated member Clubs and representative teams are required to treat others with dignity, courtesy, and respect.



3. Introduction

Ballarat Cricket Association recognises all gender identities and supports participants regardless of the gender that they identify with and how they express it.

In association with our Harmony in Cricket philosophy, Ballarat Cricket Association encourages all of our spectators, players, fans and volunteers and member clubs to promote inclusivity and diversity within the sport. Ballarat Cricket Association values diversity and will not tolerate discrimination against any person based on their gender identity.

4. Definitions

Gender: Gender is a part of one’s internal sense of self. It can be female, male, neither, a combination of both, or exist completely outside that. A person’s relationship with their gender can also change over time.

Trans or gender diverse: Umbrella terms that describe people who identify differently to the legal sex/gender that was assigned to them at birth.

Gender expression: ways in which one communicates masculinity or femininity (or both or neither) externally. This is done through physical appearance including clothing, hairstyles, cosmetics. It also includes mannerisms such as the way a person speaks or behavioural patterns and other personal traits.

Non-binary: Any gender identity which does not fit within the binary of male and female.

Cisgender: is when one does exclusively identify as that they were assigned at birth.*

Player: Any registered person in MyCricket that participates in the Ballarat Cricket Association competitions including representative teams.

5. Guiding principles

Ballarat Cricket Association will use the following principles to guide decision making in accordance with these guidelines:



- a) The implementation and administration of the guidelines will consider a fair and equitable level of monitoring that is respectful, inclusive and respects each and every person’s human rights.
- b) The implementation and administration of the guidelines will, if necessary, be supported by external organisations with knowledge and experience in this area.
- c) The implementation and administration of the guidelines will always be in line with or exceed the guidelines produced by the Victorian Equal Opportunity and Human Rights Commission Gender Diversity in Sport documents and the Equal Opportunities Act 2010.

6. Purpose

Ballarat Cricket Association believes that experiences and expressions of gender can be diverse and that participation should be grounded in equity and equal opportunity.

Therefore, Ballarat Cricket Association supports players competing in the gender category they identify with, regardless of the legal sex/gender classification that was assigned to them at birth. Ballarat Cricket Association will consider the eligibility guidelines set out in this document to ensure a fair and equitable playing field for all players, employees and players.

7. Participant Eligibility Criteria

All players shall be allowed to participate in any Ballarat Cricket Association community sanctioned event in accordance with their gender identity. This is irrespective of the legal sex classification listed on their birth certificate, driver’s license, government documentation and regardless of whether they have undergone any medical or surgical intervention.

Therefore:

7.1 Where one’s gender identity will dictate which category they will participate in:

- a) Participants who identify as female will be allowed to participate as females;
- b) Participants who identify as male will be allowed to participate as males; and



- c) Participants who identify as non-binary will be allowed to participate in the gender category that they feel most comfortable and supported in.

7.2 Where one's gender identity does not dictate which category they will participate in, a person will be allowed to participate without any restrictions.

8. Complaint Resolution & Appeal

- a) Complaints in relation to this policy should initially be directed to the Ballarat Cricket Association to try to resolve any dispute or concern informally.
- b) Any decision made or outcome reached by the Ballarat Cricket Association in accordance with paragraph 8a) above may be appealed to Cricket Victoria
- c) Should any complaint or concern relate to any matter falling within the remit of the Cricket Victoria Member Protection Policy, including, but not limited to Abuse, Bullying, Child Protection Matters, Harassment, Sexual Misconduct, Unlawful Discrimination, Victimization, Vilification or other breaches of the Cricket Victoria Code of Behaviour, complaints may be referred to Cricket Victoria to manage in accordance with the Member Protection Policy complaint resolution procedures.

9. Confidentiality

- a) The parties to any complaint or dispute arising in relation to this Policy agree that they will not at any time disclose information identified by the other party as confidential to any person, corporation or third party and will make no use whatsoever of any information that is confidential (other than in the ordinary and usual course of implementing).
- b) When information is not directly stated as confidential, parties will still agree to protect information that may be deemed confidential or private.



APPENDIX 1

Preventing Discrimination based on gender identity in cricket

1. Key things to know

There's more to sporting ability than strength and testosterone

Testosterone can increase a person's strength however sport is about more than just strength. Fitness, training, age and experience often play a bigger part in making someone a good player.

No one 'changes gender' for a competitive advantage

Transitioning or affirming gender is a deeply personal and individual decision and is not something done on a whim. There is no evidence to suggest that boys or men change gender to gain a competitive advantage and reap rewards in women's sport.

Trans and gender diverse people use toilets as toilets and change rooms as change rooms

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. Trans and gender diverse people are generally at high risk of being victimised, assaulted or harassed in toilets and change rooms.¹

No two transitions/affirmations are the same

Many trans and gender diverse people go through a process of socially, medically, surgically or otherwise transitioning or affirming their gender. This process is different for everyone and doesn't necessarily include hormone treatment or surgery.

¹See, for example, J L Herman, 'Gendered restrooms and minority stress: The public regulation of gender and its impact on transgender people's lives' (2013) 19(1) *Journal of Public Management & Social Policy*, 65.



2. Examples of discrimination based on gender identity

- deliberately using incorrect names (deadnaming) or pronouns (misgendering and using ‘he’ instead of ‘she’), or using micro-aggressive language about one’s gender identity
- using one’s gender identity to isolate an individual in their participation in any form of club activity or participation (for example, celebration nights, trips away, training etc)
- invasive, inappropriate questioning about a person’s physical characteristics or their sex life (this may also constitute sexual harassment)
- any form of harassment or bullying, including ridiculing or ignoring someone because of their gender identity
- denying an employee training or promotion opportunities because of their gender identity
- denying access to benefits associated with club membership because of someone’s gender identity
- a coach denying participation opportunities to a player on the basis of their gender identity
- discriminating against someone in team selection based on their gender identity in situations where single-sex competition exceptions do not apply
- changing the nature of someone’s job, such as taking someone off customer service duties, because of their gender identity.

3. Use of toilets and facilities

Employees and players are entitled to use toilets, change rooms and other facilities regardless of their gender identity. Any individuals who have concerns about the use of toilets and facilities should raise these with the Equal Opportunity Contact Officers or with Cricket Victoria’s Member Protection Information Officer.



4. Participation in single sex/gender competitions

Ideally clubs will provide gender neutral teams, whereby participation is not limited based on gender identity, allowing all participants to have an option to play cricket together. If not available, Cricket Victoria will support participation of trans and gender diverse people in single sex/gender competitions as appropriate to their identified gender. Non-binary players will be allowed to elect which team they consider more appropriate to join.

5. Uniforms

Not all participants will feel comfortable being placed in a uniform of a certain gender category, where uniforms are mandatory, all participants should be allowed to wear the uniform in which they feel most comfortable in.

6. Contacts

Ygender

<https://www.ygender.org.au/>

Ygender is peer led support and advocacy group for young transgender and gender diverse young people.

Proud 2 Play

<https://www.proud2play.org.au/>

Email: info@proud2play.org.au

Proud 2 Play is focused on creating pathways for the inclusion and participation of LGBTQI+ youth in sport and recreation.

Parents of Gender Diverse Children

<https://www.pgdc.org.au/>

Parents of Gender Diverse Children offers peer support for parents of transgender and gender diverse children.



Victorian Equal Opportunity and Human Rights Commission

www.humanrightscommission.vic.gov.au

Email: enquiries@veohrc.vic.gov.au

The Victorian Equal Opportunity and Human Rights Commission is an independent statutory body with responsibilities under three laws: Equal Opportunity Act, Racial and Religious Tolerance and Charter of Human Rights and Responsibilities. The Commission's role is to educate people about the rights and responsibilities contained in the Charter and to report annually to the government about the operation of the Charter.

Transgender Victoria

9020 4642

<http://transgendervictoria.com/>

Transgender Victoria can provide you with information and advice on a range of issues and also provides training and education.

Sport and Recreation Victoria (Department of human health and services)

<http://sport.vic.gov.au/>

Phone: 1300 650 172

Sport and Recreation Victoria is the Victorian Government department responsible for policy and programs for sports and recreation. SRV can also provide information about laws and policies for dealing with inclusion.

Transcend

www.transcendsupport.com.au

It is a grassroots, unfunded support network and was the first parent led peer support network for the families of transgender children in Australia