

## SWIM IRELAND TRANSGENDER AND NON-BINARY PARTICIPATION AND COMPETITION POLICY

### 1. Executive Summary

This Policy has been developed to set out Swim Ireland Policy in relation to the participation of transgender or non-binary competitors to account for circumstances where World Aquatic's Rules do not apply. In developing the Policy, we have undertaken significant consultations. Internally with our members, staff, and board of directors and externally; with bodies representing transgender individuals; with other sporting bodies and with European and World Aquatics. It covers the disciplines of Swimming (including Open Water and Masters Swimming) and Diving. A separate Policy will be developed and published for Water Polo in due course.

In broad terms, the Policy provides that general participation in the aquatics outside of the competitive space will remain broadly non-gender. Where structured competition is involved, the Policy provides for two categories of competitor. Female – defined as athletes with a birth sex of female and Open, defined as athletes with a birth sex of male, trans or non-binary competitors and any competitor not eligible for the female category.

Furthermore, the Policy provides guidance on swim wear, changing rooms, National and Regional team selection and accommodation.

### 2. Introduction

Swim Ireland is the National Governing Body (NGB) for Swimming, Water Polo, Diving and Artistic Swimming across the 32 counties of Ireland, recognised through Sport Ireland and Sport Northern Ireland. The Swim Ireland Strategic Plan 2022-2026 focuses on the areas that Swim Ireland can impact to achieve our overall Vision of 'An Island of Swimmers' by shaping a culture that encourages, supports, and empowers people in Ireland to actively enjoy swimming and the aquatics. One of Swim Ireland's core values is Wellbeing and Inclusivity, and we aim to be inclusive and welcoming in our sport, seeking to empower everyone to participate in a safe and enjoyable environment, where everyone is treated with the same level of respect, equality, and importance.

Swim Ireland recognise that transgender individuals face barriers to participation in sport. It is our desire to see more transgender and non-binary individuals participating and engaging in the aquatics. We also recognise that the principle of fair competition is at the heart of sport. The World Aquatics Scientific Panel Report concludes that transgender women swimmers retain a significant advantage over cisgender female swimmers, even after reducing their testosterone levels through medication. In developing the Policy, we have undertaken a comprehensive consultation process to determine how we might best balance respect for the rights of transgender individuals and the rights of competitors, aligning with World Aquatics Policy for the Men's and Women's Competition Categories where applicable. This Swim Ireland Transgender Policy is intended for all those currently participating in aquatics, or those that wish to participate, as well as parents,

employees, coaches, board members, organisers, and volunteers. It covers the disciplines of Swimming (including Open Water and Masters Swimming) and Diving. A separate Policy will be developed and published for Water Polo in due course.

### 3. Definitions

For the purposes of this Policy:

**TRANSGENDER:** An umbrella term for anyone whose gender identity or gender expression is different from the biological sex they were assigned at birth.

**CISGENDER:** Denoting or relating to a person whose gender identity corresponds with the sex registered for them at birth; not transgender.

**BIRTH SEX:** The biological sex assigned to an individual at birth.

**NON-BINARY:** Gender identities that are not exclusively masculine or feminine.

**GENDER IDENTITY:** The gender you identify with being- this might be male, female, non-binary.

**TRANSITION:** The steps a transperson may take to live in the gender with which they identify. Each person's transition will involve different things. For some this involves medical intervention, such as hormone therapy and surgeries, while for others this could be telling friends and family, dressing differently, and changing official documents.

**GENDER REASSIGNMENT:** Gender reassignment is a protected characteristic, and the term refers to someone who is transgender. It includes anyone who has proposed, started, or completed a process to change their sex.

**PUBERTY:** the period during which adolescents reach sexual maturity and become capable of reproduction.

**TANNER STAGE 2:** Tanner Stage 2 indicates the initial production of gonadal hormones and the onset of puberty.

### 4. Policy Context

Swim Ireland recognise and is bound by World Aquatics' Policy on eligibility for Men's and Women's Competition Categories (**Appendix A**), in respect of national teams and competing internationally. To determine the eligibility criteria for participation and competition in aquatics at National level, where World Aquatics rules do not apply, Swim Ireland undertook a comprehensive consultation process internally with Staff, Board members and members, including athletes, coaches, officials, and parents. External consultations were also undertaken with transgender and LGBTQ+ individuals and representative organisations, and International Governing Bodies of Sport.

This Policy has been developed following the consultation process and considering extensive research and recognised best practice both nationally and internationally. In addition, this Policy is in line with relevant legislation in both jurisdictions of the Republic of Ireland and Northern Ireland.

## 5. General Participation

To achieve our vision of 'An Island of Swimmers', Swim Ireland has provided a pathway of opportunities for swimmers of all ages and abilities. It is our intention to continue to be inclusive in this regard and that general participation in the aquatics outside of the competitive space will remain broadly non-gender. The aim is to continue to develop, deliver, and grow innovative programmes and events in swimming and the aquatics for all ages, abilities, gender, or background that meet the needs of the general population to achieve the objectives contained in the National Sports Policy and the Northern Ireland Strategy for Sport.

## 6. Competition Rules and Athlete Eligibility

The following outlines Competition Rules and Athlete Eligibility for Club Competitive, Regional and National Meets (Levels 1-5):

- a) All Swim Ireland affiliated members and clubs are bound by and must comply with the Swim Ireland Competition Rules and Regulations.
- b) Competition, for the disciplines of Swimming (Open Water, Masters, and Artistic Swimming), and Diving, will be conducted within relevant age specific groups and will be conducted in two categories:
  1. Female – athletes with a birth sex of female
  2. Open – athletes with a birth sex of male, trans or non-binary competitors and any competitor not eligible for the Female category
- c) Titles and records will be achieved through the categories of Female and Open.
- d) Within all event conditions there should be a reminder that the Female category is for birth sex females only. By entering the Female category, athletes are therefore confirming their birth sex is female.
- e) All competitors shall only enter and compete in one of the defined categories at a competition.
- f) Transgender and non-binary athletes shall use the entry standards for the Open category, unless eligible for the Female category to qualify/be considered for qualification for a competition.

## 7. Regional & National Programme Selection

Eligibility for the Regional and National Programmes will be determined based on the criteria for selection outlined in the Programme guidelines and through two categories of competition:

1. Female – athletes with a birth sex of female
2. Open – athletes with a birth sex of male, trans or non-binary competitors and any competitor not eligible for the female category

To be eligible for consideration to represent Ireland athletes must meet World Aquatics criteria of having transitioned before the age of twelve or before they reach stage two on the Puberty Tanner Scale. This provision will be reviewed in line with the development of a new Open Category of competition being launched by World Aquatics.

## 8. Anti-Doping

All competitors should be aware they may be subject to doping control testing as per the Sport Ireland and World Aquatics Anti-Doping Rules. The use of hormones in most cases contravene the World Anti-Doping Agency Code and therefore any transgender or non-binary competitors using hormones for the purpose of gender reassignment must contact Sport Ireland to determine whether they are required to apply for a Therapeutic Use Exemption.

## 9. Swimwear

Swimwear is a personal choice for any athlete and needs to account for the rules and regulations required by the National, European and World Governing Bodies for competitions and events in the aquatics.

All swimwear, whether in training or competition, needs to meet a 'decency' rule; this means that for anyone, the attire used for training and competitions must cover what are considered the private parts of a body, namely the breasts, where developed, and genitalia. The cut of any swimsuit worn must not permit the exposure of such.

For training, athletes are permitted to wear swimsuits that they are comfortable with wearing, and should not hamper a person in the water, nor provide a hazard to themselves or others whilst undertaking training activities. The types of swimwear that are acceptable for any gender includes swim trunks, swim costume, swim shorts, swim leggings, swim dresses and short or long-sleeved close-fitting t-shirt.

For Swim Ireland competitions, athletes are permitted to wear swim wear according to the competition rules including the Swim Ireland Tech Suit Policy (or any other suit Policy as determined by Swim Ireland). The decency rule, where private parts should be covered, must be always adhered to for all competitions. If necessary, an exemption to any current suit ruling must be applied for in advance of a licenced meet (details on the Competition Exemption Form).

## 10. Changing Facilities and Toilets

The use of changing facilities and toilets is governed by the facility in which the activity occurs. Every effort should be made to ensure that there are suitable changing and toilet facilities for all genders. However, Swim Ireland recommend the use of individual cubicle/village style changing areas for athletes so as not to isolate any one individual. The mandatory use of separate male and female squad changing rooms should be discouraged.

Toilet facilities are usually individually gendered. Facilities should make unisex toilets available e.g., previously where toilets are for the sole use of people with a disability.

Swim Ireland Head of Safeguarding, Ethics and Youth Development can be consulted regarding specific circumstances as they arise.

## 11. Team Travel and Overnight Stays

Where an activity requires overnight stays as part of the activity being undertaken consideration must be given to the gender of anyone sharing bedrooms, with agreement in advance of the activity by the relevant parties involved concerning the necessary room arrangements.

The autonomy, respect and privacy of transgender athletes shall be always protected. Rooming arrangements will be made on an individual basis in advance, based on birth sex, and shall include the option of a single room if desired. If a transgender athlete is in a single bedroom and is under the age of 18, permission must be sought from their parent/carer. The arrangements made in this case should not be shared further than on a need-to-know basis.

Team staff and athletes cannot be mixed in bedrooms, i.e., only athletes with athletes, only team staff with team staff. There are further safeguarding considerations where athletes are under the age of 18. Athletes under the age of 18 may only share bedrooms with other athletes under the age of 18 with consideration given to matching the ages of athletes together.

If rooms are shared for financial reasons and additional single rooms are required, this cost should be shared across the whole trip so as not to incur additional costs for any individual person. For further guidance on rooming, please refer to the away trips section in the Swim Ireland Safeguarding Policies.

## 12. Training and Support

Swim Ireland recognises that transgender athletes, and particularly those who are under 18, require support from the levels of discrimination experienced in many areas of their lives. We further recognise that our volunteers need support and training to manage the complexities that may arise in providing such support. Our Diversity, Equity, and Inclusion and Belonging Policy, provides a set of guiding principles, promoting equality, and preventing discrimination. In line with this Policy, Swim Ireland will work with our clubs, members, and external partners, to shape a culture that encourages, supports, and empowers transgender athletes in Ireland to actively enjoy swimming and the aquatics, indoors and outdoors.

## Contact Details and Reporting

Queries at Club and Regional level should be directed to the Coach in charge and, where the athlete is U18, the Children's Officer to agree the best course of action. Advice can also be obtained from the Swim Ireland Clubs and Competitions team at:



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[clubsandcommunity@swimireland.ie](mailto:clubsandcommunity@swimireland.ie). Swim Ireland has a zero tolerance to transphobia and discrimination. Such instances should be reported via the Club Children's Officer and emailed to Swim Ireland's Head of Safeguarding, Ethics and Youth Development [katehills@swimireland.ie](mailto:katehills@swimireland.ie).