



# Transgender and Non-Binary Competition Eligibility Policy and Procedures

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## 1. British Rowing Position Statement

- 1.1 British Rowing is committed to promoting an environment in which rowing is accessible and inclusive, with opportunities for participation for everyone involved in the sport. We recognise and support the right of an individual to participate in sport in their affirmed Gender, whilst ensuring that such participation does not unfairly affect competition and does not affect the safety of fellow competitors.

## 2. Policy Background

- 2.1 This policy is the successor to, and supersedes, the British Rowing Trans and Non-Binary Competition Eligibility Policy (September 2023).
- 2.2 This policy gives due regard to recent developments in UK law and in international sporting policy, including the 2025 UK Supreme Court Judgement in the case of For Women Scotland Ltd v The Scottish Ministers and the 2026 IOC Policy on the Protection of the Female (Women's) Category in Olympic Sport and Guiding Considerations for International Federations and Sports Governing Bodies.
- 2.3 Recognising that this is an evolving area of sport regulation, British Rowing is committed to the regular review of this policy and procedures to ensure that it reflects, and is consistent with, the current legislation, science and guidance.

### **Review of Developments in Science**

- 2.4 British Rowing recognises that there are significant advantages in size, strength, and power enjoyed (on average) by biological men from puberty onwards, over biological women due to the presence of higher levels of androgenic hormones, which can impact on an individual's success in Competitive Activity.
- 2.5 The scientific research examining whether those retained physiological/biological advantages translate into a retained sporting performance advantage for Transgender women post transition (compared with pre-transition and/or cis women) strongly challenges the idea that testosterone suppression alone sufficiently removes the retained sporting performance advantage of Transwomen (when compared with pre-transition and/or cis women). In addition, the scientific community broadly agrees that the majority of the physiological/biological advantages brought about by male puberty are retained (either wholly or partially) by transwomen post transition (Hilton & Lundberg, 2020 [<https://link.springer.com/article/10.1007/s40279-020-01389-3>] and Harper et al., 2021 [<https://bjsm.bmj.com/content/55/15/865>]).



2.6 The IOC Working Group examining the approach to eligibility to the Female Category at IOC events reached the following consensus:

2.6.1 That Male sex confers performance advantage in all sports and events that rely on strength, power, and/or endurance.

2.6.2 Healthy adult Males have 15 to 20 times more circulating testosterone than healthy adult Females. Testosterone levels do not overlap between the two groups. The gap in testosterone levels exists in the general and elite athlete populations. Males experience three significant testosterone peaks: in utero, in mini-puberty of infancy and beginning in adolescent puberty through adulthood.

2.6.3 Consistent with the functional effects of higher circulating testosterone levels, Males have larger and stronger skeletal muscle and bone, larger and stronger hearts, larger lung size, more red blood cells, and lower body fat than Females trained to the equivalent level. Together these attributes afford Males individual sex-based performance advantages in sports and events that rely on strength, power and/or endurance.

2.6.4 Female athletes experience performance disadvantages relative to Males, associated with Female anatomy and physiology, that contribute to overall Male performance advantage in sports and events that rely on strength, power and/or endurance. These disadvantages may include, for example, the menstrual cycle, gestation and anatomical differences such as periodic ligament laxity (looseness), wider hips and more breast tissue.

2.6.5 The magnitude of advantage at the elite level is different depending on the sport or event:

- There is a 10-12 per cent Male performance advantage in most running and swimming events.
- There is a 20+ per cent Male performance advantage in most throwing and jumping events.
- The Male performance advantage can be greater than 100 per cent in events that involve explosive power, e.g. in collision, lifting and punching sports.
- Variation in Advantage: The extent of the performance advantage (and its implications) varies across sports and events and from occasion to occasion, depending on the athletes involved.

2.6.6 XY Transgender athletes and athletes with certain XY differences/disorders in sex development (DSD) have anatomical and physiological advantages in line with being Male even as their legal sex, the manner in which they were raised, and/or their gender identity may vary. XY transgender athletes and athletes with XY-DSD typically have testes/testicles



and testosterone levels in the Male range. The clear majority are androgen-sensitive, meaning that their bodies are receptive to and make use of that testosterone during growth and development and throughout their athletic career.

2.6.7 Androgen-sensitive XY-DSD and XY Transgender athletes retain Male performance advantage due in part to training effects and fixed traits. There is no current evidence that testosterone suppression or gender-affirming hormone treatment eliminates this advantage.

2.6.8 XY-DSD athletes with Complete Androgen Insensitivity Syndrome (CAIS) and other rare XY DSDs that do not benefit from the anabolic and/or performance-enhancing effects of testosterone should, on that basis, be included in the Female Category.

<https://stillmed.olympics.com/media/Documents/International-Olympic-Committee/EB/policy/policy-on-the-protection-of-the-female-category-english.pdf>

### **Review of Developments in Law**

2.7 This policy has been developed in accordance with the Gender Recognition Act 2004 and the Equality Act 2010. The Equality Act makes specific provision for sports organisations to restrict participation in competitive sport based on the protected characteristics of sex or Gender Reassignment where the physical strength, stamina, or physique of average persons of one sex would put them at a disadvantage to average persons of the other sex as competitors in events involving the sport. Such restrictions must be proportionate and can only be made in order to secure fair competition or the safety of competitors at the event or events.

2.8 The 2025 UK Supreme Court judgement in the case of For Women Scotland Ltd v The Scottish Ministers confirmed that the definitions of “woman”, “man” and “sex” for the purposes of the Equality Act 2010 refer to biological, rather than certified, sex. The Supreme Court also clarified that trans people will still be able to rely on the protected characteristic of sex under the Equality Act 2010 on the basis of discrimination by association or by perception with their acquired Gender.

## **3. Scope and Application**

3.1 Where a competition / event organiser provides a Competitive Rowing Activity, they may provide the following sex-based categories of competition:

- i. Open Class
- ii. Women’s Class
- iii. Mixed Class



- 3.2 For the purposes of this policy Competitive Rowing Activity is defined as: Any activity run within the jurisdiction of British Rowing that involves any or all official timing/results, qualification and rankings for participants aged 12 years or older.
- 3.3 British Rowing has determined that there is a legitimate need to ensure fairness in a female class of competition and that the Women's Class should be treated as a protected category, with necessary and proportionate restrictive eligibility criteria in the spirit of fairness of competition.
- 3.4 The Eligibility Criteria for the Open, Women's and Mixed classes shall apply to all age classes of competition. The youngest age class of rowing competition under the jurisdiction of British Rowing is J12 (for those aged 11-12 years old).
- 3.5 There are no sex-based eligibility criteria for activity that is not within the definition of Competitive Rowing Activity.

## **4. Competitive Rowing Activity - Eligibility Criteria**

### **Open Class**

- 4.1 There are no sex-based eligibility requirements for the Open Class.

### **Women's Class**

- 4.2 Only people whose sex is female will be eligible to compete in the Women's Class.
- 4.3 To be selected for Great Britain or England in International Events in the Women's Class only people whose sex is female will be eligible.

- 4.3.1 In accordance with IOC policy, eligibility for the Female (Women's) Category in IOC Events is to be determined in the first instance by SRY Gene screening to detect the absence or presence of the SRY Gene. British Rowing will work with the British Olympic Association and other relevant partners to develop and establish a policy and procedures to facilitate SRY Gene screening in advance of the LA28 Olympic Games.

### **Mixed Class**

- 4.4 British Rowing Rules of Racing allow for competition organisers to offer a Mixed Class event, which combines male and female rowers in a crew with a minimum number of female rowers included (50% unless otherwise stated). For avoidance of doubt, all rowers entered to fulfil the designated female quota within a crew in a Mixed Class event must satisfy the criteria to be eligible for the Women's Class.



## **5. Recreational / Non-Competitive Rowing Activity, Volunteering and Employment**

5.1 British Rowing recognises and acknowledges everyone's right to define their own Gender, regardless of their biological sex. We also fully support the right to choose if, when and how to reveal that Gender to others.

### **Recreational and/or Non-Competitive Rowing Activity**

5.2 For the purposes of this policy Recreational Rowing Activity is defined as any rowing activity that does not fall within the definition of "Competitive Rowing Activity".

5.3 As there is no formal competitive element to Recreational Rowing Activity, participants can take part in British Rowing sanctioned Recreational Rowing Activity in their self-identified Gender.

5.4 British Rowing encourages clubs to consider whether in Recreational Rowing Activity there is any need or reason for the activity to be segregated by sex.

5.5 If squads are segregated by sex a person may participate in whichever squad they feel most comfortable with.

### **Volunteering and Employment**

5.6 This policy does not affect any aspect of volunteering or employment, and British Rowing will strive to ensure that the culture of the sport is supportive and welcoming.

5.7 British Rowing will work to meet the individual needs of each person to ensure that they have a positive experience of their volunteering and / or employment.

## **6. British Rowing Membership**

### **Race Membership**

6.1 This category of membership constitutes a race licence. The selected gender must match the sex of the individual member and align to the sex-based class of competition for which the individual member is eligible to compete.

### **Community, Row, Coach or Umpire Membership**

6.2 Where a prospective member would like to obtain membership in a Gender that is not aligned to their biological sex, they will be able to choose their Gender freely when obtaining their membership.

6.3 These categories of membership do not constitute a race licence and so the Gender identity



on an individual's membership record does not override the provisions of this policy regarding eligibility for Competitive Rowing Activity.

## **7. Anti-Doping**

- 7.1 All rowers should be aware of their responsibilities under the anti-doping rules of British Rowing and any other relevant bodies. The use of sex hormones in most cases is prohibited and therefore rowers using hormones for the purpose of Gender Reassignment or any other legitimate medical purposes are encouraged to contact UK Anti-Doping to determine whether they are eligible, and/or required to apply, for a Therapeutic Use Exemption (TUE).
- 7.2 The use of a prohibited substance without a TUE may be in breach of the anti-doping rules of British Rowing and/or other bodies and lead to an anti-doping rule violation, the consequences of which may include a period of ineligibility from all sport. More information about TUEs for Transgender athletes can be found on World Anti-Doping Agency's website.

## **8. Procedures for the Review of an Individual's Eligibility for the Women's Class of Competition**

- 8.1 Rowers, Athlete Support Personnel, Registered Individuals, Officials, Clubs, Competitions or Affiliated Members, and any other person under the jurisdiction of British Rowing:
  - 8.1.1 must comply in full and in good faith with the application of this policy and procedures, including only providing accurate and complete information to the best of their knowledge, and not providing any information in bad faith or for any improper purpose.
  - 8.1.2 must cooperate promptly and in good faith with the Governance & Integrity Lead and the Eligibility Panel in the discharge of their respective responsibilities under this policy.
  - 8.1.3 consent to the collection, processing, disclosure, and use of information (including sensitive personal information) as required to implement and apply this policy effectively and efficiently.

### **Request to Review**

- 8.2 A request to review the eligibility of a rower for the Women's Class may be made by a Registered Individual or Affiliated Member.
- 8.3 Any such request shall be made in writing to the Governance & Integrity Lead at British Rowing [governance@britishrowing.org](mailto:governance@britishrowing.org) with any supporting evidence on which the Registered Individual or Affiliated Member wishes to rely.



- 8.4 Any such request shall be made as soon as reasonably possible once the Registered Individual or Affiliated Member becomes concerned about the eligibility of a rower.
- 8.5 The Registered Individual or Affiliated Member making such request shall not seek publicity for its request to review or otherwise take any steps that might cause undue embarrassment or harm to the rower who is the subject of the request to review.
- 8.6 Any Registered Individual or Affiliated Member who seeks to campaign against an individual publicly or directly, in bad faith, to harass, stigmatise or otherwise injure a rower may be found in breach of British Rowing's Code of Conduct and subject to disciplinary proceedings.
- 8.7 Details of the Registered Individual or Affiliated Member making a request to review will not be disclosed to the rower whose eligibility is being reviewed.
- 8.8 The Registered Individual or Affiliated Member making a request to review will not be kept informed of the process or told of the outcome of the process.
- 8.9 If a request to review is received the Governance & Integrity Lead, along with the Eligibility Panel, shall make an initial assessment as to whether to accept the request for consideration, or to dismiss the request on the grounds either that it considers that the issue of the rower's eligibility is frivolous, vexatious or otherwise lacks sufficient merit to justify further consideration.
- 8.10 British Rowing has the power to make a request to review on its own accord, without first receiving a request from another party. In this instance the Governance & Integrity Lead shall refer the request to the Eligibility Panel for its consideration.

### **The Eligibility Panel**

- 8.11 The Eligibility Panel shall consist of two members of British Rowing's Medical Advisory Panel, and a lawyer from one of British Rowing's other Panels. The Panel shall have the power to co-opt members with relevant specialist expertise at its discretion.
- 8.12 If the Eligibility Panel accepts the request, it may request any material that might assist it with a decision as to whether the rower may continue to compete, including legal and medical information and screening results, to confirm the person's eligibility for the Women's Class.
- 8.13 If the Eligibility Panel has any concerns about the adequacy of the evidence provided by, or on behalf, of the rower, it must provide the individual with a fair opportunity to address those concerns before it comes to its final decision.
- 8.14 If a rower does not comply with a request for material British Rowing may temporarily suspend the rower from competition until they comply with the Eligibility Panel's request.



- 8.15 During the conduct of the review, and in the sole discretion of the Eligibility Panel, a rower may:
- i. be permitted to continue to compete in the Women's Class.
  - ii. be suspended from competition in the Women's Class on an interim basis.
- 8.16 In most cases the rower will be suspended on an interim basis if they have won or are likely to win a prize or have achieved or are likely to achieve a selection for a British Rowing Performance Programme. Any breach of an interim suspension by a rower may result in disciplinary action being commenced against the rower.
- 8.17 The Eligibility Panel will complete its review as soon as is reasonably practicable in all the circumstances of the case. However, in no circumstance will British Rowing or any member of the Eligibility Panel be liable for any alleged detriment suffered by the rower or anyone else as a result of the time taken by the Eligibility Panel to complete its review.

#### **Outcome of Review of Eligibility**

- 8.18 The Eligibility Panel may find the following:
- i. The eligibility conditions have been met, and that the rower is eligible for the Women's Class of Competition.
  - ii. The eligibility conditions have not been met, and the rower is ineligible for the Women's Class of Competition.
  - iii. If the eligibility conditions have not been met any winnings, ranking points or competition outcomes (to be specified in the decision) may be revoked and disqualified.
- 8.19 The Eligibility Panel's decision will be binding on all parties. It may only be challenged by way of appeal in accordance with Section 10 – 'Appeals' of this policy.
- 8.20 The decision of the Eligibility Panel shall not confer eligibility (or otherwise) to the Female (Women's) Category for IOC Events, which shall be determined exclusively in accordance with the relevant IOC policy.
- 8.21 Once it has completed its review, the Eligibility Panel will send its decision in writing to the Governance & Integrity Lead.
- 8.22 The Governance & Integrity Lead shall notify the rower whose eligibility has been reviewed of the decision.
- 8.23 If the eligibility conditions are not met the Governance & Integrity Lead shall also notify the decision to any competition officials as required and appropriate for the proper management and operation of the competition, including the allocation of winnings, ranking points and



competition outcomes.

- 8.24 The decision shall not be notified publicly or to any other party, including to the registered individual or affiliated member making a request to review.
- 8.25 Where it is found that a person has competed in a class of competition for which they are not eligible, British Rowing reserves the right to investigate whether such conduct may constitute a breach of the British Rowing Integrity Policy.

## 9. Appeals

- 9.1 All persons or entities under the jurisdiction of British Rowing agree to follow exclusively the procedures set out within this Section 10 – ‘Appeals’ to appeal decisions made under this policy, and not to bring any proceedings in any court or other forum that are inconsistent with this clause.
- 9.2 The appellant may initiate the appeals procedure (‘Notice of Appeal’) by notifying the Chief Executive Officer (CEO) of British Rowing in writing, that they wish to appeal the decision of the Gender Eligibility Panel.
- 9.3 The Notice of Appeal must be received by email or mail within twenty-one (21) calendar days of the decision made by the Eligibility Panel and addressed to: ceo@britishrowing.org or the Chief Executive Officer, British Rowing, 6 Lower Mall, London W6 9DJ.
- 9.4 The Notice of Appeal must include:
- i. Contact details for the appellant and any other parties to the appeal (if applicable).
  - ii. A copy of the decision being appealed.
  - iii. A statement setting out the grounds for the appeal.
  - iv. All materials (including all information and documents) in support of the appeal.
- 9.5 An appeal can be made on the following grounds only:
- 9.5.1 There was material procedural or other irregularity in the proceedings by the Eligibility Panel.
- 9.5.2 The decision by the Eligibility Panel was based on error of fact.
- 9.5.3 The decision by the Eligibility Panel is unreasonable and one that no reasonable panel could have reached when faced with the evidence presented.

*It is advised that this ground cannot be used simply because of the belief that the Eligibility Panel made a wrong decision. The decision would need to be so unreasonable that no reasonable*



*person/panel (acting reasonably) could have made it.*

- 9.6 On receipt of the Notice of Appeal, the CEO will determine if the grounds for appeal can be accepted, and if they are, will appoint a panel of three members (Appeal Panel) comprising one independent arbitrator appointed by Sport Resolutions and two members of British Rowing's Medical Advisory Panel or Disciplinary and Grievance Panel, none of whom should have been involved in the decision under appeal.
- 9.7 The panel shall consider the appeal on papers only. The Appeal Panel's decision shall be final and binding. The final decision will be made as soon as possible and will be communicated to the appellant in writing within twenty-one (21) calendar days.

## **10. Costs**

- 10.1 The costs of any legal advice or representation, medical assessment, examination, treatment, monitoring, reporting, and any other costs involved in complying with the policy will be borne by the relevant individual.

## **11. Confidentiality and Data Protection**

- 11.1 All information and documentation concerning a person's past or present Gender Reassignment status will be managed in accordance with British Rowing's Privacy and Data Protection Policies, all data protection legislation in force at the relevant time and, where relevant, the Equality Act and the Gender Recognition Act. All such information must be treated in strict confidence and shared on a need-to-know basis only.
- 11.2 Anyone involved in enquiries or determination of a review under this policy must understand and comply with confidentiality obligations that are associated with handling such a matter.
- 11.3 The Governance & Integrity Lead will undertake all confidential communication in relation to this policy and procedures and share information on a needs-led basis.

## **12. Reporting of Transphobia or other forms of Discrimination**

- 12.1 British Rowing is determined that everyone can access and participate in rowing without fear of unlawful discrimination or prejudice. Everyone has the right to be treated with dignity and respect. British Rowing operates a zero-tolerance approach to prejudice or discrimination and encourages the reporting of all instances of discrimination based on an individual's Gender Identity.



12.2 No stigmatisation or improper discrimination on grounds of Gender Identity will be tolerated. Persecution of, or campaigns against an individual simply on the basis that their appearance does not conform to Gender stereotypes are unacceptable. Any such conduct will be considered a breach of the British Rowing Code of Conduct, as will any breach of the confidentiality provisions set out in this policy.

## 13. Contact British Rowing

13.1 For all enquiries concerning this policy and its procedures please contact the Governance & Integrity Lead by email: [governance@britishrowing.org](mailto:governance@britishrowing.org)

## 14. Definitions

14.1 British Rowing recognises that some individuals and groups may be uncomfortable with the use of medical and scientific terminology related to sex and sex-linked traits. British Rowing respects all participants and has sought to avoid sensitive terminology that may cause offense. Nevertheless, some use of sensitive terminology is needed to be precise about the sex characteristics that justify separate competition categories and to ensure that the policy's terms are understood by all stakeholders. Some of those terms are explained in this section.

<b>Competition</b>	An organised group of rowing races sanctioned by British Rowing in which the result of each race is determined by the order in which boats are placed at the finish; or a processional race, being a race in which boats are started at intervals of time or distance and of which the result is determined by means other than the order of arrival at the finish but may also include other rowing events sanctioned by British Rowing.
<b>Competitive Rowing Activity</b>	Any activity run within the jurisdiction of British Rowing that involves any or all official timing/results, qualification and rankings for participants aged 12 years or older.
<b>Cisgender / Cis</b>	A person whose gender identity matches their sex.
<b>Differences/Disorders of Sex Development (DSD)</b>	Rare genetic conditions that result in atypical sex development.
<b>Eligibility Criteria</b>	The criteria set out in Section 4 of this policy in respect of eligibility to compete in the Women's and Open categories of a Competition.



<b>Female (Biological Female)</b>	An individual who, regardless of their legal sex or gender identity, experienced female sex development usually based on their XX-chromosomes, ovaries, and estrogenic hormones.
<b>Gender / Gender Identity</b>	A social construction relating to behaviours and attributes based on labels of masculinity and femininity; gender identity is a personal, internal perception of oneself and so the gender someone identifies with may or may not match their sex. A person may see themselves as a man, a woman, as having no gender, or as having a Non-Binary gender – where people identify as somewhere on a spectrum between man and woman.
<b>Gender Affected Sport</b>	The Equality Act 2010 defines a gender affected sport as a sport, game, or other activity of a competitive nature in circumstances in which the physical strength, stamina, or physique of average persons of one sex would put them at a disadvantage compared to average persons of the other sex as competitors in events involving the activity.
<b>Gender Reassignment</b>	The Equality Act 2010 protects people with the characteristic of “Gender Reassignment”. A person has this protected characteristic if they are proposing to undergo, are undergoing, or have undergone a process (or part of a process) to reassign their sex by changing physiological or other attributes of sex. There is no requirement that the 'process' must be undertaken under medical supervision, or for the individual to have obtained a Gender Recognition Certificate.
<b>Gender Dysphoria</b>	Gender dysphoria is the medical term for the experience of discomfort or distress a person may experience due to having a Gender Identity that does not align with their sex.
<b>Gender Recognition Certificate</b>	A process a Trans person may go through to have their Gender Identity recognised by the government. A Gender Recognition Certificate does not change a person’s legal sex for the purposes of the Equality Act 2010.
<b>International Events</b>	Any event run under the auspices of the International Olympic Committee, International Paralympic Committee, World Rowing or European Rowing.
<b>IOC Events</b>	Sports events organised by the International Olympic Committee, including the Olympic Games, Olympic Winter Games, Youth Olympic Games, Winter Youth Olympic Games, and any other event organised by the IOC.
<b>Male (Biological Male)</b>	An individual who, regardless of their legal sex or gender identity, experienced male sex development usually based on their XY-chromosomes, testes/testicles and androgenic hormones.



<b>Non-Binary</b>	Someone who does not exclusively identify as a man or a woman. A non-binary person may or may not identify as Trans.
<b>Open Class</b>	A competition class with no sex-based eligibility criteria. Open to athletes who are biological males and females.
<b>Recreational Rowing Activity</b>	Any rowing activity that does not fall within the definition of “Competitive Rowing Activity”.
<b>Registered Individual</b>	A person registered with British Rowing and paying the relevant fees.
<b>Rower</b>	A person competing in rowing competitions organised, recognised, or convened by British Rowing.
<b>sex</b>	(Legal sex or biological sex) The biological aspects of an individual as determined by their anatomy, which is produced by their chromosomes, hormones, and their interactions - generally male or female; something that is assigned at birth.
<b>Transgender / Trans</b>	A broad inclusive term referring to anyone whose personal experience of gender differs from or extends beyond their sex. This can include: <ul style="list-style-type: none"> <li>• Trans /Transgender girl / woman, A person whose sex is male but has a female Gender Identity.</li> <li>• Trans /Transgender boy / man, A person whose sex is female but has a male Gender Identity.</li> </ul>
<b>Transphobia</b>	Transphobia includes discriminatory language or behaviour directed towards anyone who comes under the umbrella term of Transgender; in addition, it may be directed towards a Trans person’s friend or supporter, or anyone who may be perceived to be a Trans person (whether they are Trans or not).
<b>Women’s Category:</b>	The competition class designated for athletes who are biological females.