“For some people they’d never be able to tick all those boxes”: Exclusion of trans and non-binary identities in university sport policy

Abstract

Sport is considered an important aspect of university life in the UK, often used as a means to ease the transition into this setting and meet new people. However, rules and regulations in the competitive university sport context may exclude some students who are trans and non-binary. For instance, British Universities and Colleges Sport (BUCS), the governing body for university sport in the UK, often relies on wider inclusion policies, taken from the relevant national or international governing body for each sport. These policies do vary regarding their evidence base, and how appropriate they may be in the university sport context. With this in mind, this chapter aims to explore perceptions of trans and non-binary inclusion within BUCS competition, with an emphasis on policies in place in the university context. To do this, focus groups and questionnaires were conducted with trans and non-binary students across four institutions, with a total sample size of eight students. Furthermore, across the same institutions, six student union officers shared their views on trans and non-binary inclusion in university sport. Findings suggest the reliance on binary gender categories in wider sport policies can be problematic for many students, who often must meet complex and strict criteria in order to participate in sport. As student unions are constrained by wider policies, they may feel unable to act to ensure inclusive environments. This chapter includes suggestions for future research and has practical outcomes which may be useful for student unions, university sport clubs and other bodies in control of sport provision to increase inclusion for all.

Key words: Trans; non-binary; gender; sport; policy

Introduction

Within UK university settings, sport is often considered an important part of the student experience. For example, an article in *Times Higher Education* (Mayne & Diamond, 2016) suggests that involvement in university sport can help ease the transition into university life, assisting students in overcoming social isolation. Mayne and Diamond (2016) also suggest that the higher education setting is an important environment to support elite sport within the UK. There are arguably a variety of further benefits; an employability report, using mixed-methods research with graduates, employers and senior university executives, indicates regular sport participation is considered by employers to develop leadership, management, problem-solving and teamwork skills. In turn, this may have a positive impact on developing employability (Griffiths et al., 2017). This potentially leads to fewer periods of unemployment and increased earning potential after graduation for those who participate

in university sport. Finally, recreational sport participation has been linked to social connectedness, higher levels of self-esteem, reduced stress levels, and protection against depression later in life; all important factors for improved mental health (Jewett et al., 2019).

Sport England data also demonstrates the prominence of university sport in the UK. Within their most recent (2013-2014) survey of over 36,000 students, 67% of those surveyed participated in a sport activity, with the majority (57%) taking part at least once a week (Sport England, 2014). Furthermore, 39% of those surveyed took part in some form of organised sport, with 24% stating they were involved in organised competition. However, it was also found that participation varied according to factors such as gender, age, ethnicity s and disability. Considering the potential positive benefits of sport participation, alongside notions of fairness and inclusivity, it is clearly important that university sport is inclusive for all.

Within UK universities, student unions are usually in control of the organisation of university sport, including competitive fixtures and recreational sport and physical activity opportunities (Phipps, 2020). They usually consist of a range of full-time permanent staff, alongside full-time and part-time 'sabbatical' officers. These sabbatical officers are often elected students, chosen by the wider student body, who may take time out of their studies to undertake the role. A range of sabbatical officer roles exist across different institutions, with common full-time roles including President, Activities/Sport Officer, and Education/Welfare Officer. Many student unions also include roles for the representation of specific groups of students, for example postgraduates, students from diverse ethnic backgrounds, and LGBT+[1] students. However, it must be noted that the structure of student unions across the UK do vary, with different full-time and part-time roles evident.

Although student unions usually control sport at a local level, since 2008 most university-based competitive sport in the UK has been governed overall by British Universities and

[1] LGBT+ stands for lesbian, gay, bisexual and trans (Stonewall, 2017). An increasing number of different identities, including non-binary, queer, questioning and asexual, are included in the '+' sign for both consistency and simplicity.

Colleges Sport (BUCS). Their mission is to provide the best university sport experience globally, aiming for an inclusive sport experience for all students (BUCS, 2017). This includes widening access to existing opportunities and ensuring inclusive practice is embedded into all BUCS' policies, strategies and practices (BUCS, 2017). Therefore, although university sport clubs are usually run through the student union at their institution – who may (or may not) have clear inclusion policies for students – these clubs are governed by BUCS policy when participating in competitive sport. In other words, regardless of an individual student union's policy on trans inclusion, they are constrained by wider policies and practices. In relation to this chapter, the main policies relevant are the guidelines for trans and non-binary athletes competing in BUCS competition.

BUCS regulations for trans and non-binary athletes

BUCS regulations regarding trans and non-binary athletes fall under their 'individual eligibility' guidelines and were last updated in October 2019. Within their regulations, BUCS state that they support "equal opportunities in sport for all, to include transgender athletes on the basis of the gender with which they identify" (BUCS, 2019). Despite this, the regulations state that trans women not taking testosterone suppressants may only compete in male competition – that is, in line with the sex that they were assigned at birth and not with which they identify. A less restrictive regulation is in place for trans men not taking any gender-affirming hormones, who can participate in either male or female competition without restriction. These regulations are based upon arguments related to testosterone exposure - a hormone which may increase muscular size and physical performance, and which would otherwise be considered a doping drug when not medically prescribed (Mazzeo, 2018). Thus, it follows that those trans men who are receiving gender-affirming testosterone supplementation are immediately excluded from female competition. This exclusion from female competition does align with trans men's affirmed gender and therefore may not be considered entirely exclusionary. For trans women who are taking testosterone suppressants, they are allowed to participate in female competition only after one calendar year of taking these gender-affirming hormones. Prior to this, they are still eligible to participate in male competition. For mixed events, trans people may compete as their affirmed gender, subject to the regulations above; if they do not meet these, they may compete as the gender they were assigned at birth. Finally, BUCS state that they may

request medical evidence to confirm any medical intervention, which is treated confidentially; however, the costs of obtaining medical information cannot be covered by them (BUCS, 2019).

A comparison can be made to the United States' National Collegiate Athletic Association (NCAA) transgender student-athlete policy of 2011. While the university sport system in the United States, managed largely by the NCAA, is significantly different to the UK BUCS system in terms of larger athletic budgets, scholarships for talented athletes, higher quality facilities and higher-profile media coverage of some events (NCAA, 2020), the trans inclusion policies of BUCS (2019) and NCAA (2011) are largely similar. To summarise, it is stated for the purpose of NCAA competition that trans men taking testosterone may compete on men's teams but are no longer eligible to compete on women's teams unless the team's status is changed to mixed gender (NCAA, 2011). Trans women taking testosterone suppressants may continue to compete in men's teams but may not compete on women's teams unless their status is changed to a mixed team or they have completed one calendar year of testosterone suppressant treatment. For those not taking gender-affirming hormones, trans men may compete on men's or women's teams, and trans women may only compete on men's teams (NCAA, 2011). These regulations therefore require trans and non-binary students to reveal their gender identity openly to others. This was evident in a study by Klein et al. (2018), whereby a trans male student athlete had to disclose their gender identity to many athletic personnel, apply for a medical exemption, and share their medical records detailing their testosterone levels in order to continue competing, with the responsibility being on the athlete to initiate this process. Both BUCS and NCAA policies therefore demonstrate a necessary and multi-layered process of students being open about their gender identity, involving multiple people such as teammates, coaches, national governing bodies, and others working in sport teams.

Considering these regulations, policies such as BUCS (2019) and NCAA (2011) do not entirely exclude those who are trans or non-binary, as they allow any athlete, regardless of birth-assigned gender, to compete in the male categories when they are not eligible to compete with or against females. However, the guidelines may restrict trans women's sport participation in accordance with their gender identity. Although the reasons for this are

unclear, based on previous studies and reports on physiological differences between males and females (e.g. Hilton & Lundberg, 2020), this is presumably with safe and fair female competition in mind. Furthermore, the reliance on binary gender categories may also be exclusionary for non-binary people, who must fit into binary structures to be accepted. However, in practice, the above guidelines are only followed when sport-specific regulations for trans and non-binary athletes, taken from the international or national governing body for each particular sport, are either not in existence or have not been updated in the past three years (BUCS, 2019). This creates further complexities; sport-specific policies may vary and are not always underpinned by evidence (Jones et al., 2017), with some based upon inclusion (Segrave, 2016) and others overly stringent and focussed on elite-level sport (Jones et al., 2017).

To elaborate, the 2004 policy of the International Olympic Committee (IOC), stated that any trans athletes should have fully medically transitioned, including the completion of gender-affirming surgery and a minimum of two years of gender-affirming hormones. This has since been updated to a newer, less restrictive policy in place from the Tokyo Games onwards, whereby trans men can compete without restriction, and for trans women total testosterone level in serum should be below 10 nmol/L for at least 12 months prior to, and during, competition[2]; furthermore, the need for surgery has been removed for all (IOC, 2015). However, according to Jones et al., (2017), many sport organisation's policies have been heavily influenced by the original 2004 IOC regulations. With these issues and complexities in mind, this chapter aims to explore the realities of current BUCS rules, considering the views of student union officers who implement the policy at a local level, alongside those of trans and non-binary students who may have been directly impacted by these regulations in the UK university sport context. The research questions which guided this study, therefore, are:

1. How accessible are university sports for trans and non-binary students?
2. To what extent do student unions and BUCS reinforce and/or challenge binary models of gender through policy and practice?

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[2] It is worth noting that this policy has been critiqued for not meeting its objective of fair and safe female competition. For instance, Hilton and Thunberg (2020) suggest that male physical performance advantages are not removed by the current requirements.

Methodology

To answer the above research questions, case-studies at four student unions in the UK were conducted, as part of a wider study on LGBT+ inclusion in university sport. The case-studies involved focus groups and questionnaires with LGBT+ students alongside separate focus groups with student union officers. The rationale for the case-studies was to gain detailed and in-depth data on a specific context. All student unions were based in the South and Midlands of England[3], with data collection initially taking place at a post-1992[4] university in the South West of England in December 2015 (Student Union A), followed by a red-brick university in the East Midlands in January 2016 (Student Union B). Next, data were collected at a red-brick university in the South West of England in February 2016 (Student Union C) and a post-1992 university in the South East of England in April 2016 (Student Union D). In terms of the focus groups, eight LGBT+ students shared their views across four focus groups, one of whom, Ben, identified as trans. At the time of the focus group, Ben was 20 years old and identified as a trans man. He had been active in the women's university rugby team but had stopped playing a short time before the focus groups took place. In conjunction with Ben's experiences, several student union officers also shared their views on trans and non-binary inclusion in university sport (see Table 9.1).

Table 9.1: Student union officers

Pseudonym	Student union	Job area	Time in job role
John	A	Student Experience	12 months
Luke	A	LGBT+ Officer	7 months
Zoe	B	Student Union President	6 months
Charlotte	C	Sport Officer	7 months
Robbie	C	LGBT+ Officer	7 months
Joe	D	Student Union President	9 months

[3] Although diversity was aimed for in terms of type and location of the institution, reliance on student unions' agreement to take part in the study meant that convenience sampling was employed. This resulted in an absence of student unions in the north of England and from Russell Group universities.

[4] See *The Student Room* (2021) for a description of different types of UK universities.

As a lower-than-anticipated number of LGBT+ students had taken part in the focus groups, to increase their engagement an online questionnaire was created using *Qualtrics*. This was produced using predominantly open-ended questions which replicated those which would have been asked across the focus groups. For example, those students who indicated from a closed question that they had observed or experienced LGBT+ discrimination in the university sport context were asked "can you explain what sort of discrimination you witnessed/experienced?" and those who indicated they had experienced barriers to participation were asked "can you explain what particular barriers or factors you have faced or had to overcome in order to take part?" Other questions centred around students' experiences of 'lad culture'[5] (Jackson & Sundaram, 2018; Phipps & Young, 2015), LGBT+ sport clubs, student union campaigns and initiatives, and what could be improved or changed about university sport to encourage participation.

The questionnaire was therefore used to gather a broader range of perspectives from LGBT+ students, albeit through a different (more limited) format, whereby follow-up questions could not be used. Once created, the questionnaire was then disseminated to LGBT+ students at the four student unions. To do this, LGBT+ societies and student union officers were contacted to promote the questionnaire, alongside various social media posts. Responses were collected between March 2016 and October 2016 and in total, 27 LGBT+ students responded to the questionnaire, with seven respondents identifying under the trans and non-binary 'umbrella', demonstrating there are multiple ways in which someone can be trans or non-binary (see Table 9.2). Across the data sets, qualitative data was prominent, and thematic analysis was used to analyse this data. This is a widely used qualitative data analysis method to identify, organise, describe, and report themes evident in a data set (Nowell et al., 2017).

Table 9.2: Questionnaire and focus group respondents

[5] Phipps and Young (2015) describe 'lad culture' as a template masculinity for young British men that includes integral elements of UK university life such as drinking, sport, and sex. Jackson and Sundaram (2018) add that 'lad culture' often includes a wide range of practices from drunkenness and rowdiness to sexist, harassing, and homophobic practices.

Pseudonym	Student union	Identity (in respondent's own words)	Involvement in sport (at the time of their response)
Alfie	A	Trans man	No
Jasmine	A	Gender-fluid[6], homo-romantic pansexual	Yes
Dale	A	Bisexual, transman	Yes
Laura	B	Lesbian demi-gender[7] female	Yes
Claire	B	Lesbian androgynous[8] woman	Yes
Stacie	B	Pansexual transwoman	No
Ben	B	Trans man	No
Imogen	C	Agender[9], attracted to women but not 'out'	Yes

Initially, prior to data collection, a provisional list of potential codes was created that were based on the research questions and research problems (Miles & Huberman, 1994). These provisional codes were created with previous literature and theories in mind and included those that were descriptive (for example 'lack of inclusive facilities in student unions'), but predominantly interpretative and exploratory codes were used (for example 'hegemonic power structures between LGBT+ students and others'; 'cultural problems evident in sport'). Additional codes included 'evidence of inclusive practice' and 'evidence of gender binaries', amongst others. All the preliminary codes were kept on a separate sheet for reference and clear operational definitions were outlined to ensure consistency as the coding took place (Lincoln & Guba, 1985).

[6] Gender-fluid is a term used to describe someone whose gender identity is fluid between two or more genders (LGBTQIA Resource Center, 2020).
[7] Those who are demi-gender feel a partial connection to both male and female genders. A demi-gender woman is someone who feels more feminine than masculine, whereas a demi-gender man feels more masculine than feminine (Moon, 2019).
[8] Someone who is androgynous has traits which are usually ascribed to both men and women; androgyny can be physical, presentational or a combination of both (LGBTQIA Resource Center, 2020).
[9] Agender refers to someone who does not have a gender or describes their gender as neutral (Pulice-Farrow et al., 2019).

In terms of the focus groups, these were recorded using a Dictaphone and transcribed verbatim shortly afterwards. After each transcription was produced, these were read and re-read to gain familiarity with the data, to begin to recognise and interpret themes across the data set, a method recommended by Bryman (2012). After the focus groups and questionnaires were complete, codes from the provisional list were then applied to the data, using a deductive approach. To do this, any data considered interesting or relevant was extracted and placed into tables, while keeping the initials of the respondent and their student union next to each quote. Following this, the meanings of the quotations and responses were interpreted and inspected for what they revealed about the phenomena (Nowell et al., 2017), and each were given a code to capture their respective meanings (Grbich, 2007). However, the provisional list of codes was adapted and refined throughout the ongoing data analysis process. Through this process, a number of themes were created. Below the findings relevant to trans and non-binary inclusion are presented, starting with BUCS policy and its restrictions, followed by suggestions for more inclusive practices in university sport.

Findings

BUCS policy: Restrictions for trans and non-binary students

Most sports are organised along binary gender lines, in terms of both societal perception of appropriately 'masculine' and 'feminine' sports, and in terms of policies which segregate male and female sport. With boys/men generally playing more contact team sport using force/power (such as football and rugby) and girls playing non-contact, 'female-appropriate' team sport (such as hockey or netball), or activities centred on gracefulness (such as gymnastics or dance), this emphasises sport as a binary, heteronormative space (Plaza et al., 2017). Clearly, this can cause barriers and restrictions for anyone, regardless of their gender identity. These concerns were raised by Charlotte (*Sport Officer, Student Union C*), who discussed how a male student wanted to play netball - a female sport not currently offered to men as part of BUCS competition: "They *(BUCS)* were just flat out no, or you can if you have your hormone levels tested." BUCS' response therefore reinforces gender binaries and reduces gender to simply hormone levels, which may be overly simplistic (see Sailors, 2020). To expand, Klein et al., (2018) have critiqued the common discourse that people with higher testosterone levels are automatically better athletes, with the impact of testosterone

potentially varying between different sports. Charlotte's quote also highlights the lack of opportunity for men and women who want to be involved in sports lying outside of gender norms. Similar restricted opportunities were later outlined by Alfie who argued:

> "Growing up I played a lot of 'female-appropriate sports' (for example in PE) and I now don't have a lot of experience playing 'male sports' due to mis-gendering in my youth." *Alfie, Trans Man, Student Union A*

Although the vast majority of sports in BUCS competition are offered to both men and women – with notable exceptions including netball (only women) and rugby league (only men) – gendered teams and practices are commonplace, potentially leading to restricted sporting opportunities in BUCS structures, particularly for trans and non-binary people. These restrictions are often in place due to presumed strength and physiological differences between male and female athletes (Krech, 2017). Nevertheless, these sport policies – including BUCS regulations for trans students, outlined previously in this chapter – consequently reinforce gender binaries, failing to accommodate all trans and non-binary identities. For instance, Zoe argued:

> "The fact that there are distinctive gender splits is a clear barrier. The fact that there's no clear guidance if you are gender fluid or you don't necessarily identify with one gender then what are your options? And as that's not clear then I think it's an automatic barrier. . .you might be automatically putting yourself in a position you're not comfortable with." *Zoe, President, Student Union B*

Gender binaries are prominent, taken-for-granted and normalised, and remain a major way in which we distinguish between different groups of people in society; their status in sport consequently means trans people's participation in accordance with their gender identity – when they identify within binary gender categories – is relatively rare (Jones et al., 2017). As Zoe notes, without a trans identity that 'fits' into the binary system, it may be exceptionally difficult to participate in university sport under BUCS regulations, unless that identity is compromised in an attempt to conform. However, even for those trans students whose identities correspond with binary gender categories (for example, those who identify outright as 'men' or 'women'), issues may still exist if these students are unclear on the eligibility criteria within that particular sport. As stated previously in this chapter, this is

particularly problematic when BUCS often rely on sport-specific national or international governing body guidelines, and it is unclear how clearly these are advertised. Within the focus groups, it was revealed that BUCS policy had restricted participation for Ben, a trans man, who had checked the England Rugby guidelines, which at the time[10] had one of the strictest policies regarding trans participation. In 2017, the policy outlined a requirement for surgical anatomical changes (two years prior to applying for approval to participate in rugby), legal recognition of the trans person's acquired gender, and confirmation from a medical professional that gender-affirming hormones had been administered for a sufficient length of time to minimise gender-related advantages (England Rugby, 2017). This policy was in place for all trans and non-binary people, at all levels of rugby.

National governing body guidance such as the policy by England Rugby (2017) may be more relevant to elite level competition, as opposed to UK university sport, which is usually (although not always) played recreationally and/or at a lower standard. Particularly problematic in the 2017 policy is the requirement for gender-affirming surgery. Historically, gender-affirming surgery was considered a normal part of a trans persons' transition, reinforcing the idea that gender identities are binary and should correlate with a person's physical characteristics, emphasising appearance expectations for trans people (Krane, 2014). However, many trans people do not desire to have such surgical interventions. Regarding some sport policies, this requirement may be in place due to ideas men may otherwise pretend to be trans in order to compete with women, under the presumption they have more chance of success (Carroll, 2014). This is also reflected in historical accounts; according to Reeser (2005), reports and suspicions of men masquerading as women in sport date back to the early cold war era. Regardless of this justification, gender-affirming surgery has no bearing on sport performance and cannot be conducted in the UK prior to age 18. Furthermore, requiring surgery in order to participate in sport forces people to undergo medical procedures, potentially against their will. Forced medical intervention

[10] Effective from May 2019, the policy has changed and is now more in-depth, differentiating between non-contact and contact rugby, the latter of which is still 'gender affected'. Trans male players can participate without restriction after signing a declaration, and trans female players still have restrictions in terms of their testosterone levels. In addition, non-binary players are also acknowledged. For more detail, the policy can be found here: https://www.englandrugby.com/dxdam/26/26de38f3-d82f-4816-8be3-b582f6a9f757/TransgenderPolicy.pdf

has also been explored in relation to the case of Caster Semenya, an intersex athlete who has been required to medically reduce her testosterone levels in order to compete in athletics, deemed both unethical and invasive (Farham, 2019).

It is also important to highlight that many trans students are unlikely to have undergone gender-affirming surgery before attending university, particularly if they start university at the age of 18 (Gibson, 2013). This is because waiting lists for National Health Service (NHS) procedures in the UK are often several years long due to increasing demands for these services. To elaborate, Westcott (2018) states that some trans people may wait up to two and a half years for an initial consultation. Thus, requiring gender-affirming surgery in policies may be exclusionary, enforcing binary models of gender despite not being necessary to preserve fair competition (IOC, 2015). This would effectively exclude many trans students, such as those who may be part way through transitioning or who are pre-medical transition. In addition, there is an assumption within many of these policies that all trans people's identities align with the gender binary, when in reality some identities fall outside of binary structures. Differences in experience between trans people who identify within and outside of binary structures has been evidenced in several areas, including social support (Thorne et al., 2019), mental health (Rimes et al., 2017) and access to health care (Clark et al., 2018), although little research has explored this within the sport context.

Ben (*Trans Man, Student Union B*) had checked the England Rugby (2017) regulations, arguing the policy was only inclusive to those who wanted and were able to undergo gender-affirming surgery and hormones. Ben was hoping to start taking gender-affirming hormones soon after the focus group took place but had no intention of undergoing gender-affirming surgery, similar to many trans men (Gleaves & Lehrbach, 2016). The policy outlined by England Rugby may be considered an attempt to 'fit' trans participants into the gender binary, without considering the fluidity of their gender and identity, emphasising binary gender models as a potentially flawed system. Rules such as these may also emphasise trans people as 'outsiders', who are separated from the normalised binary framework of male/female (Ingrey, 2012). Ben used the focus group to critique this policy:

> "It was all about after transitioning and you need to have all your hormones, all your surgery, everything. And it all must have been completed two years ago. For some people they'd never be able to tick all those boxes." *Ben, Trans Man, Student Union B*

These issues were also reiterated by a questionnaire respondent who did not participate in university sport due to the barriers she had faced:

> "BUCS have guidelines that I consider prohibitive for trans competitors. For example, the current guidelines for my sport state that trans competitors must have: HRT[11], sexual reassignment surgery (but must be two years post-op to compete as own gender), and a gender recognition certificate." *Stacie, Trans Woman, Student Union B*

The restrictions outlined for Ben and Stacie (as well as other trans and non-binary students) highlight sex-segregation as an unjust and unethical system for some; gender arguably cannot be separated into two discrete categories and many trans people may simply not want to undergo these medical procedures. Evidently, deciding if someone is male or female does not always lead to a binary answer, and other means of categorising people may need to be considered to segregate sport with fairness and inclusion in mind (Foddy & Savulescu, 2010). However, to play sport currently, trans and non-binary people need to conform to the norms and structures that are available to them, which are highlighted in policies. Although Ben had not yet begun undertaking any sort of medical transition at the time of the focus groups and was therefore still eligible to compete in women's rugby, he further outlined the reasons why he had chosen to cease participation – at least temporarily – in this sport. The quote provides evidence that people who are trans and non-binary may socialise out of sport to avoid potential abuse and harassment, contributing to their perceived lower sport participation rates compared to cisgender people (Jones et al., 2017):

> "Partly I didn't really want to start the season without knowing when I wouldn't be allowed to play anymore and even though the teams I've been playing for are really accepting of gay people, although I knew a lot of people would have my back, I wasn't really sure if everyone would. I knew it would probably cause quite a bit of gossip at the start and I just didn't want to be around that." *Ben, Trans Man, Student Union B*

[11] HRT stands for hormone replacement therapy.

It is evident from Ben's quote that trans and non-binary students need support from a wide range of people, including coaches, teammates and wider sport departments to feel accepted and comfortable to continue playing after 'coming out'. This was also reinforced in a previous study by Klein et al. (2018), whereby a trans male athlete competing in NCAA competition received overwhelming sport from coaches, teammates, and the wider athletic department, making the transition an easier process. However, it was acknowledged that not all university athletic departments provide this level of support and inclusion, and several may not adhere to policy disallowing discrimination (Klein et al., 2018). As UK university sport teams tend to have fewer support systems in place compared to NCAA provision, this could also prove an issue in the UK context.

Ben then went on to explain his concerns with joining the men's rugby team at his university once he began his medical transition:

> "I've been looking into gay men's rugby teams because I think they may be better to play for than a regular rugby team. I want to play men's rugby when I'm big enough to compete with the guys but it's putting me off with lad culture, homophobia and transphobia with men's rugby and the reputation that they've got. Although I've found women's rugby is quite welcoming, even though it's the same sport, it's like a different atmosphere" *Ben, Trans Man, Student Union B*

As can be seen from Ben's quote, he had temporarily stopped playing sport and appeared to be in limbo, not feeling able to compete with either the men's or the women's rugby teams. A similar scenario was evident in the study by Klein et al. (2018); after starting gender-affirming hormones, the trans male cross country and track and field athlete was no longer able to continue competing with the women's team under the NCAA (2011) policy. However, this athlete also felt unable to join the men's team immediately, due to his body being 'in-flux' and unaccustomed in a short period of time. Similar to Ben, the same athlete also witnessed sexism, misogyny and sexualisation of women by the men's team when he started training with them (Klein et al., 2019). Thus, policies for trans people may need to be re-visited in sport, allowing a transition period to train and compete with both the men's and women's teams. Although this would still promote binary models of gender in sport, a transition period would help support trans athletes and sport teams to include trans

students and provide support systems to increase inclusion and equitable treatment (Klein et al., 2018).

Evidently, the experiences of trans and non-binary people (in sport and elsewhere) challenge orthodox ideas about gender roles and identities by destabilising gender binaries (Nagoshi et al., 2012). However, many sport bodies reinforce adherence to gender expectations through policy and practice. Underpinning some policies including BUCS (2019) regulations are essentialist, binary ideas about gender, supporting beliefs about the superiority and hegemony of men in sport, despite the fact that ability is situated on a continuum that arguably transcends gender (Fink et al., 2016). Gender identity is fluid, but most sport organisations do not account for identities that fall outside of the binary and ask people who transition from one gender to another to meet particular (often complex) criteria. It is arguably problematic to consider male/female and man/woman as mutually exclusive and oppositional categories (McPhail, 2004), yet this is clearly taking place within contemporary university sport policies in the UK.

Suggestions for inclusive practice

When asked to identify ways in which to increase inclusion and accessibility of university sport, some student union officers suggested this was difficult under the current BUCS system, and were critical of the dualistic approach to gender identity evident in BUCS policy. For instance, Charlotte stated:

> "It's quite difficult working within a system that we have little control over and making any change. BUCS is responsible as well, as they're just following national governing body guidelines. I do think they're looking at it, we did try and push them to say you could actually do something that's sector leading. Yes, it might have to get more complicated at national or at international level but at university it really shouldn't be this complicated." *Charlotte, Sport Officer, Student Union C*

Thus, as demonstrated in previous literature (Klein et al., 2018), even when athletic departments are trans inclusive, they must follow wider guidelines which may prove exclusionary for some athletes. In the UK system, it is clear that student unions are only able to create their own guidelines and policies for trans and non-binary inclusion if that sport or

activity lies outside of BUCS structures. Therefore, inclusive, all-gender sport may be more evident in recreational and intramural leagues – not controlled by BUCS – whereby trans and non-binary inclusion policies can be developed by student unions. This was highlighted by Joe:

> "Yeah we have a lot of mixed sport and we have a lot of capacity for casual sport as well because we have a programme called [programme name] which is where you can just turn up and have a go. That's been good for inclusive participation because they're all just mixed, they're all like just turn up and play sport." *Joe, President, Student Union D*

Despite this, it was evident that in relation to BUCS sports teams and competitions, they were unable to make sporting practices more inclusive within the context of their student union officer roles. However, other officers argued that little change is required as the current system can be accessible for all, particularly emphasising mixed-gender sport teams as inclusive alternatives to the usual gendered sporting structures. In other words, mixed teams may be considered a potential solution to the 'problem' of gendered sport, and a viable alternative for many trans and non-binary students. For example, several officers in the focus groups discussed the prominence of sports such as mixed-badminton, American football, Korfball (a sport consisting of four male and four female players per game), and mixed hockey at their student unions. Furthermore, two questionnaire respondents suggested further provision for mixed sport would prove to be less restrictive for trans and non-binary students, with Laura (*Demi-Gender Woman, Student Union B*) stating "one of the main problems for trans people are gender-based teams so more mixed teams would be good" and Imogen (*Agender Student, Student Union C*) suggesting "all gender teams rather than binary teams".

Despite the arguments in favour of more mixed sport, these structures should not automatically be considered suitable alternatives. As an example, American football is mixed under the BUCS system, but Joe (*President, Student Union D*), argued that "they have rules but they play practically slightly different when a guy's going up against someone they perceive to be a woman at least". Thus, although it is a mixed sport, it still poses problems for trans and non-binary students due to rules surrounding gender; it 'matters' if you are a

man or a woman while playing the sport. To expand, those trans students who do not meet the eligibility criteria to compete as their affirmed gender may be excluded, alongside those whose identities lie outside of binary gender structures. Krech (2017) develops this critique, suggesting most mixed gender sports require a certain number of male and female athletes on each team, effectively presenting the same restrictions for trans athletes. This was further reiterated by John in relation to both mixed hockey and mixed badminton.

> "Hockey and badminton for example, there are clearly defined rules for each gender in those sports. Badminton for example, even in mixed badminton it has to be one woman, one man and they have different roles so the woman stands at the front more often and the man stands at the back more often."
> *John, Student Experience Officer, Student Union A*

Robbie expanded on this with a focus on students whose identities lie outside of the gender binary, explaining:

> "Not everyone who identifies as transgender identifies as a man or a woman and there's a significant amount in-between. If you don't identify as either a man or a woman, where do you fit on that mixed lacrosse team? It's then almost more awkward to then play for that mixed team than to blend in potentially and play on a gendered team. I think there are very few sports where women and men compete together where it doesn't matter if you're a man or a woman." *Robbie, LGBT+ Officer, Student Union C*

The perceptions of cisgender people may also pose a barrier to mixed-gender sport. In the focus groups with student union officers, Luke suggested mixed sport could pose injury risks:

> "There are obviously some medical reasons or health reasons…we have some big rugby players and some quite small girls, and it can be dangerous. That was certainly the reason when we were at school that we couldn't have mixed teams." *Luke, LGBT+ Officer, Student Union A*

Injury risk is something that has been considered (and critiqued) in wider literature. Alongside differences in sporting ability related to gender discrimination (see Travers, 2008), after puberty, males tend to have physiological advantages which equate to increased sporting performances over females in many sports (Sailors, 2020). Hence,

separate 'protected' women's categories may promote fairness and reduce any injury risks associated with mixed-gender competitions. This was recently presented as a rationale for not allowing transwomen to play women's rugby at international level (World Rugby, 2020). However, it is worth noting that this may vary between sports and the level played; thus, blanket approaches and generalisations may not be useful when considering trans and non-binary inclusion policies. Pennington et al., (2017) explored injuries in Quidditch, a mixed-gender full-contact sport considered trans and non-binary inclusive as the rules allow players to self-identify regarding their gender identity. Using self-reporting questionnaires with 348 respondents, there was found to be no difference in superficial injuries between males and females, although females had a higher rate of concussion. Thus, despite being mixed, it appears from this preliminary research that there is no significant difference in injury risk for females, although further research is required to consider females' higher rates of concussion in greater depth (Pennington et al., 2017), especially as concussion can have long-term impact on brain health and mortality.

Perceptions about mixed-gender youth football have also been gathered by Hills et al., (2020). Several coaches and parents in this study perceived physical disparities to be greater *within* the sexes, rather than between them. In other words, there were argued to be significant physical disparities *between* males, and several parents resented the idea that their daughters were at greater injury risk than male players in mixed teams (Hills et al., 2020). Finally, Pieper (2016) has also argued that even if sex-segregated sport is a requirement, this is scientifically impossible, as there is no "neat categorical divide between the sexes" (p. 1151) revealing biological sex as a spectrum, an argument previously explored by Fausto-Sterling (2000). Thus, the arguments both for and against mixed competition may need to be acknowledged to create more inclusive environments for trans and non-binary students.

To summarise, in most mixed-gender sports (as well as university sport provision in general) gender still matters and this is often reflected in the rules and regulations of each activity. Trans and non-binary students may be unsure of the eligibility criteria to participate/compete in sport (regardless of whether the activity is gender-segregated

or mixed) or may not feel comfortable revealing their gender identity to others in order to ask for clarification. By not fitting neatly into binary gender categories, trans and non-binary people disrupt the notion of stable and concrete (gender) identities (McPhail, 2004). However, this may create tension and conflict; binary gender categories remain the norm in sport, with the views of scholars such as Pieper (2016) and others – who argue sex-segregation in sport is flawed – largely marginalised (McPhail, 2004) both in policy and practice.

Conclusion

The aim of this chapter was to consider BUCS policies in the context of trans and non-binary inclusion in university sport. This involved exploring the perceptions of student union officers – who implement the policy at their respective institutions – alongside trans and non-binary students who may be directly affected by these restrictions. Through a combination of focus groups and questionnaires, findings suggest BUCS reinforce binary gender structures through their policies. Although most sports under BUCS structure have opportunities for males and females, these regulations do not account for those students who may be non-binary alongside those who cannot meet eligibility criteria such as hormone level requirements in order to participate as their affirmed gender. This is particularly problematic given the reliance on national and international governing body guidelines, notably how much evidence is available to determine their suitability, how well advertised they are, and if they are more suited to elite levels of competition as opposed to university sport. The focus groups also revealed that some policies may be geared towards those who are post-medical transition, posing problems for those who are pre or mid-medical transition, those who have no intention of undergoing gender-affirming surgery/hormones, and those whose identities are not aligned with dualistic structures. These practices may result in some trans students suspending or delaying their sport participation, or simply not participating at all due to perceptions that sports are exclusive and unwelcoming environments.

Despite these key findings, this study had several limitations. Firstly, due to the reliance on student unions agreeing to take part in the study, the aim of achieving variance in terms of location and type of institution was not achieved within the sample. Therefore, future

research may aim to gather the perceptions and experiences of student union officers and students at a wider variety of student unions, including those in the north of England and Russell Group universities. In addition, student recruitment for the study took place through LGBT+ societies and it must be noted that they may potentially foster an environment of politics and activism (Brooks et al., 2015). Thus, in future studies, researchers may wish to recruit trans and non-binary students through numerous sources where possible. Finally, this study did not explore the perceptions and viewpoints of BUCS, national governing bodies, or cisgender students, all of which may be useful to further consider the constraints and challenges of implementing trans and non-binary inclusive policies.

Notwithstanding these weaknesses, the study has several practical implications. Firstly, it is argued that wider sport bodies may need to re-think their guidelines before change can occur in the university sport context, and thus they may wish to consider reviewing their policies. Policies which reduce the policing of trans and non-binary bodies and allow athletes to compete in the category aligned with their identified gender has been recommended by Klein et al., (2018) in the United States university sport context, and could also be considered in the UK. In addition, more mixed-gender sporting options which support individual gender autonomy and reduce binary thinking may be considered. As an alternative, sport bodies may also wish to provide evidence that their current requirements are necessary. However, it is also acknowledged that further research is needed to provide this evidence base. As an example, World Rugby recently recommended that trans women do not play women's contact rugby, based on the current available physiological evidence, but recognised that these guidelines may need to be reviewed as studies develop and evolve (World Rugby, 2020). Alternatively, sport bodies could also include university-specific or casual sport guidelines. By doing so, this would highlight that elite sport practices should not be mimicked in (non-elite) university sport, acknowledging the restrictions of gendered sport practices.

Student unions may also wish to challenge the specifics of BUCS policy directly to BUCS, particularly if they are aware of students who are unable to participate due to the apparent restrictions. At present, the reliance on wider national and international governing body policies by BUCS arguably shifts the blame for trans and non-binary exclusion onto others.

Until BUCS and other sport policies are adapted, it is recommended that student unions clearly advertise the current guidelines to students. Ensuring students are aware of BUCS policy would minimise any eligibility questions, as some may not feel comfortable 'coming out' about their gender identity to ask for clarification.

Finally, one of the key weaknesses of BUCS policy may be the fact it fails to acknowledge the education and resources that are needed to support trans and non-binary athletes, instead focussing on the physical transition of trans students. This was also evidenced in a critique of NCAA policy by Klein et al., (2019), whereby it was argued that a further policy is needed to create an inclusive foundation to support trans athletes, in order to find solutions regarding changing rooms, gendered uniforms and the transitions between male and female sport teams. Furthermore, having a specialist in trans inclusion at each member institution was recommended (Klein et al., 2019). Despite the structure of UK and United States university sport differing significantly, these recommendations could also be considered in the UK university context.

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