



**SPORT
NEW ZEALAND**
IHI AOTEAROA

13 October 2020

9(2)(a)
9(2)(a) [@outlook.com](mailto:9(2)(a)@outlook.com)

Dear 9(2)(a)

Official Information Act 1982 (OIA) request – Consultation on Transgender inclusion

This letter responds to your e-mail received on 7 October 2020 requesting the following information:

“Please supply the terms of reference for the consultation to be undertaken by Allen + Clarke Consulting into development of trans gender inclusion policies for NZ rugby and other sports. Please also advise:

- *which sports codes and specific athletes' groups will be included in this consultation;*
- *which specific LGBT+ groups and women's groups will be consulted; and*
- *and whether the comprehensive research collated by World Rugby when developing their draft trans eligibility policy will also be considered.”*

As the terms of reference are under active consideration at present, I am withholding this information under sections 9(2)(g)(i) and 9(2)(g)(ii) of the OIA to maintain the free and frank expression of opinions by or between members of an organisation or officers and employees of any public service agency or organisation in the course of their duty and to protect members of organisations, officers, and employees from improper pressure or harassment.

Please note that if you are not satisfied with this response you have the right to make a complaint to the Ombudsman under section 28(3) of the Official Information Act 1982.

Yours sincerely

Dr Alice Hume
Policy Manager



1 December 2020

9(2)(a)

fern.hickson@outlook.com

Dear 9(2)(a)

Official Information Act 1982 (OIA) request – List of participants involved in the Transgender inclusion programme

This letter responds to your e-mail received on 11 November 2020 requesting information under the Official Information Act 1982. Your request is set out below:

"I understand that consultation with NZ Rugby and seven other selected sports organisations is to take place this month by Allen + Clarke about transgender inclusion guidelines.

As it is a matter of public interest, under the Official Information Act, please advise which seven sporting codes will be included in the consultation.

Please also advise which specific LGBT+ groups and women's groups will be consulted on this issue as the guidelines will affect women and girls as well as trans identified athletes."

During the course of this work, Sport NZ has received and noted concerns, raised by participants about the release of details of individuals and sport organisations with whom we are consulting. Sport NZ has undertaken to protect the privacy of those participating in the work ensuring free and frank expression of opinion and protection from harassment for participants.

I am therefore withholding the information requested under sections of the Official Information Act 1982:

- 9(2)(a) to protect the privacy of individuals;
- 9(2)(g)(i) to maintain the free and frank expression of opinions by or between members of an organisation or officers and employees of any public service agency or organisation in the course of their duty; and
- and 9(2)(g)(ii) of the OIA and to protect members of organisations, officers, and employees from improper pressure or harassment.

Please note that if you are not satisfied with this response you have the right to make a complaint to the Ombudsman under section 28(3) of the Official Information Act 1982.

Yours sincerely

Peter Miskimmin (he /him)
Chief Executive

RELEASED UNDER THE OFFICIAL INFORMATION ACT



**SPORT
NEW ZEALAND**
IHI AOTEAROA

29 January 2021

9(2)(a)
[REDACTED]
[REDACTED]
[REDACTED]

Dear 9(2)(a),

OFFICIAL INFORMATION ACT 1982 REQUEST – TRANSGENDER PARTICIPATION

This letter responds to your e-mails received on 4 November 2020 requesting information under the Official Information Act 1982. Your requests are set out below:

Request #1

"1) All correspondence (including external and internal emails) since 1 January 2020 regarding World Rugby's recently released Transgender Guidelines

2) Any scientific evidence (if any) that you have that contradicts World Rugby's findings that the size, force, and power producing advantages conferred by testosterone during male puberty and adolescence creates player welfare risks for female players if male-bodied people who identify as transgender women are allowed to play on women's sports teams."

Request #2

"1) All research, impact assessments, risk assessments or any other evidence that you hold regarding allowing male-bodied people who identify as transgender women to play on women's sports teams

2) Any research, documents, information, or correspondence (including emails) from any stakeholders or members of the public that raise concerns about allowing male-bodied people who identify as transgender women to play on women's sports teams

3) Any surveys or other forms of information gathering that you have carried out seeking the views of female sports administrators, coaches, and/or players on allowing male-bodied people who identify as transgender women to play on women's sports teams."

On 2 December 2020 we advised you of an extension of the timeframe to make a decision on your request to no later than 4 February 2021 to allow for necessary consultations with third parties to take place.

Sport NZ is continuing to consult with third parties on the release of the information (created between the dates of 1 August 2020 and 4 November 2020).

Sport NZ is able to release the information created between 1 January 2020 and 30 July 2020 attached in appendix one. Some information in appendix one has been withheld under the following sections of the Official Information Act 1982:

- 9(2)(a) to protect the privacy of individuals;
- 9(2)(b)(ii) to protect information which is subject to an obligation of confidence where the making available of the information would be likely otherwise to damage the public interest; and
- 9(2)(f)(iv) to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown or officials.

Requests #1(1) and #2(1)

I note that Sport NZ and High Performance Sport NZ staff receive by subscription email media articles, research papers, etc that discuss a wide range of topic related to the sport system. Some of these emails may include research papers that are used to inform discussions regarding the participation of transgender individuals in sport and active recreation. To provide this information would require substantial collation and research and I am therefore declining your request for this information under section 18(f) of the Official Information Act 1982.

Sport NZ will provide the outstanding information as soon as practicable following consultation with third parties.

Please note that if you are not satisfied with this response you have the right to make a complaint to the Ombudsman under section 28(3) of the Official Information Act 1982.

Kind regards

Raelene Castle
Chief Executive

9(2)(a)

From: 9(2)(a)
Sent: Friday, 29 January 2021 11:07 am
To: 9(2)(a)
Subject: 2021-01-29 Finals Sent to 9(2)(a) on Transgender
Attachments: 9(2)(a) 2021-01-29-10-59-47.pdf; 2021-01-29 Final Sent 9(2)(a) File 01.pdf;
2021-01-29 Final Sent K Issac File 02.pdf

Sent in hard copy by Courier

From: SportNZ Email Service <SportNZ.EmailService@sportnz.org.nz>
Sent: Friday, 29 January 2021 11:00 am
To: 9(2)(a)@sportnz.org.nz
Subject: 2021-01-29 Finals Sent to 9(2)(a) on Transgender

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<https://ssc.govt.nz/assets/SSC-Site-Assets/Workforce-and-Talent-Management/Implementing-the-Gender-Pay-Principles-and-removing-gender-bias-in-recruitment-processes.pdf>



s9(2)(a)
Women in High Performance Sport Project Manager
T – +64 **s9(2)(a)**
E – **s9(2)(a)** [hpsnz.org.nz](mailto:s9(2)(a)@hpsnz.org.nz)
HPSNZ.ORG.NZ

The information contained in this email is confidential and intended for the addressee only. If you are not the intended recipient, you are asked to respect that confidentiality and not disclose, copy or make use of its contents. If received in error, you are asked to destroy this email and contact the sender immediately. Your assistance is appreciated.

Released under the Official Information Act 1982

s9(2)(a)

From: Kay Thomson
Sent: Thursday, 30 July 2020 6:32 pm
To: Alice Hume; s9(2)(a) s9(2)(a)
Subject: Update from Louisa Wall meeting
Attachments: FW: Your support in helping us to understand the need around events.

Extract from email from Kay Thomson relating to transgender participants

Evening

I sat in on a meeting between Minister Robertson and Louisa Wall this evening. Below is summary and some actions from a couple of the issues discussed.

Although the meeting was originally set up to discuss the Recovery package and the inclusion of the LGBTQI plus community, Louisa took the opportunity to discuss a couple of other issues.

1. The news that World Rugby were planning to ban transgender women from competing noting that a final decision will be taken in November.

Alice s9(2)(a) - The Minister asked for a short note from Sport NZ to better understand the World Rugby position. I assume s9(2)(a) will ask you for this.

Thanks

Kay

KAY THOMSON
MOBILE s9(2)(a)





**SPORT
NEW ZEALAND**
IHI AOTEAROA

Xx March 2021

9(2)(a)

[REDACTED]

[REDACTED]

[REDACTED]

Dear 9(2)(a)

OFFICIAL INFORMATION ACT 1982 REQUEST – TRANSGENDER PARTICIPATION

This letter responds to your e-mails received on 4 November 2020 requesting information under the Official Information Act 1982. Your requests are set out below:

Request #1

"1) All correspondence (including external and internal emails) since 1 January 2020 regarding World Rugby's recently released Transgender Guidelines

2) Any scientific evidence (if any) that you have that contradicts World Rugby's findings that the size, force, and power producing advantages conferred by testosterone during male puberty and adolescence creates player welfare risks for female players if male-bodied people who identify as transgender women are allowed to play on women's sports teams."

Request #2

"1) All research, impact assessments, risk assessments or any other evidence that you hold regarding allowing male-bodied people who identify as transgender women to play on women's sports teams

2) Any research, documents, information, or correspondence (including emails) from any stakeholders or members of the public that raise concerns about allowing male-bodied people who identify as transgender women to play on women's sports teams

3) Any surveys or other forms of information gathering that you have carried out seeking the views of female sports administrators, coaches, and/or players on allowing male-bodied people who identify as transgender women to play on women's sports teams."

Attached is a response to your request.

Some information in appendix one has been withheld under the following sections of the Official Information Act 1982:

- 9(2)(a) to protect the privacy of individuals;
- 9(2)(b)(ii) to protect information which is subject to an obligation of confidence where the making available of the information would be likely otherwise to damage the public interest;
- 9(2)(g)(i) to maintain the conduct of public affairs through the free and frank expression of opinions by members of an organisation in the course of their duty.

Sport NZ and the Minister for Sport and Recreation have received a number of emails using a templated letter (subject line 'In defence of women's sport'). Sport NZ was asked to draft responses for the Minister of Sport and Recreation to consider in response. In addition, Sport NZ also received the same template emails and used a template as a base for the response. We have attached a copy of the template email and the templated response drafted in response.

Please note that if you are not satisfied with this response you have the right to make a complaint to the Ombudsman under section 28(3) of the Official Information Act 1982.

Kind regards

Raelene Castle
Chief Executive

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9(2)(a)

From: SportNZ Policy
Sent: Tuesday, 13 April 2021 1:25 pm
To: 9(2)(a) SportNZ Policy
Subject: 2021-04-13 Release of Official Information Act 1982: Transgender inclusion in Sport

Hi 9(2)(a)

We have received and responded to a similar OIA requests to the one you have asked for below. The requests asked for the following:

1) All correspondence (including external and internal emails) since 1 January 2020 regarding World Rugby's recently released Transgender Guidelines

2) Any scientific evidence (if any) that you have that contradicts World Rugby's findings that the size, force, and power producing advantages conferred by testosterone during male puberty and adolescence creates player welfare risks for female players if male-bodied people who identify as transgender women are allowed to play on women's sports teams.

3) All supporting evidence and information that underpins Sport NZ's statement in High Performance Sport: Post Pandemic and Beyond (Identity and Gender Fluidity) that there is "Risk to the integrity and public acceptance of female sporting contests where there are transgender athletes participating." (source: <https://sportnz.org.nz/media/2487/futures-think-piece-high-performance-sport.pdf>)

4) All research, impact assessments, risk assessments or any other evidence that you hold regarding allowing male-bodied people who identify as transgender women to play on women's sports teams.

5) Any research, documents, information, or correspondence (including emails) from any stakeholders or members of the public that raise concerns about allowing male-bodied people who identify as transgender women to play on women's sports teams.

6) Any surveys or other forms of information gathering that you have carried out seeking the views of female sports administrators, coaches, and/or players on allowing male-bodied people who identify as transgender women to play on women's sports teams

7) Please supply the terms of reference for the consultation to be undertaken by Allen + Clarke Consulting into development of trans gender inclusion policies for NZ rugby and other sports. Please also advise: * which sports codes and specific athletes' groups will be included in this consultation, * which specific LGBT+ groups and women's groups will be consulted, * and whether the comprehensive research collated by World Rugby when developing their draft trans eligibility policy will also be considered.

8) I understand that consultation with NZ Rugby and seven other selected sports organisations is to take place this month by Allen + Clarke about transgender inclusion guidelines. As it is a matter of public interest, under the Official Information Act, please advise which seven sporting codes will be included in the consultation. Please also advise which specific LGBT+ groups and women's groups will be consulted on this issue.

Subject to your agreement, Sport NZ would like to provide you with copies of the responses to the above requests in response to your OIA. We consider that this will cover the material you requested below.

Please advise if you are comfortable with this approach to your request. You would be more than welcome to request further information following your review of the information provided.

This information would be able to be sent to your address reasonably quickly.

Kind regards
The Policy Team

From: 9(2)(a)@gmail.com>
Sent: Tuesday, 13 April 2021 12:19 pm
To: SportNZ Policy <policy@sportnz.org.nz>
Subject: Re: 2021-04-12 Acknowledgement Official Information Act 1982: Transgender inclusion in Sport

Thank you

My address is 9(2)(a)

Could you please add correspondence (internal and external) in to the request.

Kind regards

9(2)(a)

On 12/04/2021, at 3:34 PM, SportNZ Policy <policy@sportnz.org.nz> wrote:

Hi 9(2)(a)

This email acknowledges receipt of your Official Information Act 1982 request. Sport NZ will respond within the legislated timeframes.

Could you please provide an address for service.

Thanks
The Policy Team

From: noreply@sportnz.org.nz <noreply@sportnz.org.nz>
Sent: Saturday, 10 April 2021 1:02 pm
To: SportNZ Web Email <web@sportnz.org.nz>
Subject: SportNZ Website Enquiry

Form Submission

The following information has been submitted via the SportNZ website Contact Us page:

Name: 9(2)(a)

Email: 9(2)(a)@gmail.com

Enquiry Type: General Enquiry

Message:

Kia ora, this news report refers to a review underway into transgender inclusion in sport. Under the Official Information Act, could you please send me information held about this review, including terms of reference, reports, memorandums, minutes of meetings and other relevant information. I confirm that I am a New Zealand citizen, resident in New Zealand. Please let me know if you need anything further, and I look forward to hearing from you.

<https://www.stuff.co.nz/sport/women-in-sport/300272766/transgender-athletes-likely-banned-from-girls-and-womens-sport-in-kansas-west-virginia>

kind regards

9(2)(a)

Sport New Zealand is the crown entity responsible for Aotearoa New Zealand's play, active recreation and sport system.

For more details, visit www.sportnz.org.nz

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**SPORT
NEW ZEALAND**
IHU AOTEAROA

14 April 2021

9(2)(a)

Dear 9(2)(a)

OFFICIAL INFORMATION ACT 1982 REQUEST – TRANSGENDER PARTICIPATION

This letter responds to your Official Information Act 1982 (OIA) request received on 10 April 2021. On 12 April 2021 you agreed to modify your request to the following:

Requesting copies of our response to the following OIA requests:

1. *Please supply the terms of reference for the consultation to be undertaken by Allen + Clarke Consulting into development of trans gender inclusion policies for NZ rugby and other sports. Please also advise:* which sports codes and specific athletes' groups will be included in this consultation, which specific LGBT+ groups and women's groups will be consulted, and whether the comprehensive research collated by World Rugby when developing their draft trans eligibility policy will also be considered - (Response dated 13 October 2020).*
2. *I understand that consultation with NZ Rugby and seven other selected sports organisations is to take place this month by Allen + Clarke about transgender inclusion guidelines. As it is a matter of public interest, under the Official Information Act, please advise which seven sporting codes will be included in the consultation. Please also advise which specific LGBT+ groups and women's groups will be consulted on this issue - (Response dated 1 December 2020)*
3. *All supporting evidence and information that underpins Sport NZ's statement in High Performance Sport: Post Pandemic and Beyond (Identity and Gender Fluidity) that there is "Risk to the integrity and public acceptance of female sporting contests where there are transgender athletes participating."
(source: <https://sportnz.org.nz/media/2487/futures-think-piece-high-performance-sport.pdf> - (Response dated 9 December 2020)*
4. *All correspondence (including external and internal emails) since 1 January 2020 regarding World Rugby's recently released Transgender Guidelines - (Responses dated 29 January 2021 and 12 March 2021).*
5. *Any scientific evidence (if any) that you have that contradicts World Rugby's findings that the size, force, and power producing advantages conferred by testosterone during male puberty and adolescence creates player welfare risks for female players if male-bodied people who identify as transgender women are allowed to play on women's sports teams - (Responses dated 29 January 2021 and 12 March 2021).*
6. *All research, impact assessments, risk assessments or any other evidence that you hold regarding allowing male-bodied people who identify as transgender women to play on women's sports teams - - (Responses dated 29 January 2021 and 12 March 2021).*
7. *Any research, documents, information, or correspondence (including emails) from any stakeholders or members of the public that raise concerns about allowing male-bodied people who identify as transgender women to play on women's sports teams - - (Responses dated 29 January 2021 and 12 March 2021).*

P +64 4 472 8058 Level 1, Harbour City Centre, 29 Brandon Street. Wellington 6011

PO Box 2251, Wellington 6140, New Zealand

sportnz.org.nz

New Zealand Government

- 8. Any surveys or other forms of information gathering that you have carried out seeking the views of female sports administrators, coaches, and/or players on allowing male-bodied people who identify as transgender women to play on women's sports teams – (Responses dated 29 January 2021 and 12 March 2021).

Attached is a response to your request.

Please note that if you are not satisfied with this response you have the right to make a complaint to the Ombudsman under section 28(3) of the Official Information Act 1982.

Kind regards

9(2)(a)


Alice Hume
Manager Policy

RELEASED UNDER THE OFFICIAL INFORMATION ACT

s9(2)(a)

From: s9(2)(a)
Sent: Friday, 28 February 2020 2:35 pm
To: s9(2)(a)
Subject: Transgender and world rugby

<https://twitter.com/Scienceofsport/status/1233013089085382656>

Might be of interest

s9(2)(a)
Senior Policy Advisor

DDI: s9(2)(a)



sportnz.org.nz



RELEASED UNDER THE OFFICIAL INFORMATION ACT

s9(2)(a)

From: s9(2)(a) <s9(2)(a).com.au>
Sent: Sunday, 8 March 2020 2:38 am
To: Kay Thomson
Cc: s9(2)(a) s9(2)(a)
Subject: Male Champions of Change Sport – The Pathway to Gender Equality in Sport including Pay Equality
Attachments: CONFIDENTIAL - MCC Sport_Pathway to Gender Equality including Pay Equality Report_2020.pdf
Publicly available document

Dear Kay,

On Sunday 8 March 2020, International Women's Day, Male Champions of Change (MCC) Sport releases a new report titled: *"The Pathway to Gender Equality in Sport including Pay Equality."* A copy of the report is attached to this email.

This builds on MCC Sport's 2019 report: [The Pathway to Pay Equality for Elite Women Athletes](#) which identified the support required across the entire sports ecosystem - including government sports organisations, corporate and non-government bodies, to build women and girls' engagement in sport and recreation activities into the future.

We believe this new report is the first time globally that major players in a national sports sector have worked together to develop and report, with new levels of transparency, against a consistent framework for tracking progress towards gender equality in sport. The "Pathway" can be easily adopted or adapted by any sport or sports sector to help build a robust strategy towards gender equality.

The report describes:

- five key focus areas and more than twenty measures identified as critical in driving progress on gender equality in sport, including pay equality
- the combined performance of the MCC Sport group against the measures in Pathway
- a snapshot of individual member progress against the Pathway - which shows strengths and areas for improvement
- a commitment to report progress against the measures annually.

As a group, MCC Sport have also become signatories to UN Women's Sport for Generation Equality Principles to be released on 9 March in New York.

We trust you will find this report informative, and a further demonstration of our commitment to advancing gender equality in sport and through sport.

If you would like any further information, please contact myself or MCC Sport Program Director, s9(2)(a) at s9(2)(a)@malechampionsofchange.com.

Yours sincerely

s9(2)(a)

The Male Champions of Change Sport members can be found [here](#)

s9(2)(a) | Founder and Convenor, Male Champions of Change
www.malechampionsofchange.com

MALECHAMPIONS OF CHANGE

s9(2)(a)

From: s9(2)(a)
Sent: Friday, 14 August 2020 11:48 am
To: s9(2)(a) Alice Hume; s9(2)(a)
Subject: FOR COMMENT by Monday noon: Transgender policy s9(2)(a)

Hi s9(2)(a)

Thanks for coming through and asking about a Transgender Policy.

Sport NZ does not have a transgender policy in place. However, we do have a framework – the Sport NZ Integrity Framework – Supporting diversity.

The leading principle for Supporting Diversity is:

“Every Kiwi has the right to participate in sport and recreation within a welcoming and inclusive environment, and to be treated with respect, empathy and positive regard irrespective of age, ability, ethnicity, gender, national origin, race, religion, sexual orientation, political beliefs or socio-economic status.”

More details can be found at the following web- location: <https://sportnz.org.nz/managing-sport/search-for-a-resource/sport-integrity-framework-supporting-diversity>

Things to consider when drafting a policy is that it needs to be in line with the Human Rights Act 1993 (HRA) and the Privacy Act 1993.

- The HRA section 49 sets out the ‘exceptions in relation to sport’ and also specifies that you are unable to use this in certain cases – officials, individuals under 12.
- The Privacy Act 1993 sets out how Rugby League and its associated clubs would treat information provided to you from the individual. In some instances this could be sensitive medical information.
- We would recommend that you reference both in your policy.

For elite or pre elite levels you will need to be guided by the requirements of International Rugby League for the participating of individuals in competition.

Papakura Netball Centre and Netball NZ have included their transgender policy in their regulations <http://www.papakuranetball.org.nz/asset/downloadasset?id=3f048d03-bbc0-4fc0-bd41-00a2f54028eb> and file:///C:/Users/trishb/Downloads/01_NNZ%20Regulations%202018%20-%20Membership%20Fees%20update%201018%20FINAL.pdf. You may like to consider this as an option – it would be good if you were able to (like netball NZ) describe the domestic events where the individual would need to meet your IF’s requirements for competition.

We would be happy to review and comment on the policy once you have developed one but would also recommend that you seek comment from the Human Rights Commission and the Rainbow Community (Insideout and RainbowYouth, etc).

Thanks

s9(2)(a)

From: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Sent: Tuesday, 11 August 2020 2:45 pm
To: Alice Hume <Alice.Hume@sportnz.org.nz>; s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Subject: FW: Transgender policy

FYI: Timely question from s9(2)(a) !

I'll go back with the response we have to the other sports that have contacted us (no Sport NZ policy – here are some useful ones and things to think about).

s9(2)(a) || Senior Policy Advisor || Sport NZ
Tel: s9(2)(a) || s9(2)(a) sportnz.org.nz

From: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Sent: Tuesday, 11 August 2020 1:47 PM
To: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Subject: Transgender policy

Hi s9(2)(a)

Hope you are well.

I'm after a transgender policy for s9(2)(a) does Sport NZ have one or have you seen any good ones?

s9(2)(g)(i), s9(2)(ba)(i)

Would like to be a bit more prepared this year.

Thanks

s9(2)(a)
General Manager Community & Programmes
s9(2)(a)

s9(2)(a)

s9(2)(a)

s9(2)(a)

s9(2)(a)

From: s9(2)(a)
Sent: Friday, 14 August 2020 10:50 am
To: s9(2)(a) s9(2)(a) Alice Hume
Subject: FOR COMMENT BY WEDNESDAY noon: Transgender & transsexual policy consultation
Attachments: Draft Transgender Policy for ANZ - July 2020 (for review).docx *withheld under section 9(2)(ba)(i) and section 9(2)(g)(ii)*

Hi All

Draft policy attached from ANZ and comments drafted below. Looking to finalise this by Wednesday next week.

ta

Hi

Thanks for the opportunity to review and comment on your Transgender Policy. The Policy has been reviewed in line with Sport NZ's Sport Integrity Framework – Supporting Diversity. The leading principle for Supporting Diversity is:

“Every Kiwi has the right to participate in sport and recreation within a welcoming and inclusive environment, and to be treated with respect, empathy and positive regard irrespective of age, ability, ethnicity, gender, national origin, race, religion, sexual orientation, political beliefs or socio-economic status.”

More details can be found at the following web- location: <https://sportnz.org.nz/managing-sport/search-for-a-resource/sport-integrity-framework-supporting-diversity>

Below are some comments for you to consider on the policy as drafted:

Human Rights Act 1993 (HRA)

1. It would be beneficial for your policy to reference the HRA in particular the section 49 which outlines clearly the 'exceptions in relation to sport'.
2. You may also like to clearly point out in the policy that individuals under the age of 12 may participate in which ever gender they affiliate with. As per section 49 (2)(d).

Privacy Act 1993

3. You may like to reference your ANZ Privacy Act 1993 Policy in the Confidentiality section.
4. You may like to consider changing 'provide evidence' to 'provide additional documentation'

Levels of Competition

s9(2)(ba)(i), s9(2)(g)(ii)

[Redacted content]

General Comments

s9(2)(ba)(i), s9(2)(g)(ii)

[Redacted content]

s9(2)(g)(i), s9(2)(ba)(i)

Sport NZ would also recommend that you provide or consult with the Rainbow community and the Human Right Commission on your proposed policy. We suggest s9(2)(a).

Thank you.

From: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Sent: Monday, 10 August 2020 4:42 pm
To: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Subject: FW: Transgender & transsexual policy consultation

s9(2)(a) || Senior Policy Advisor || Sport NZ
Tel: s9(2)(a) || s9(2)(a)@sportnz.org.nz

From: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Sent: Monday, 10 August 2020 8:15 AM
To: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Cc: Alice Hume <Alice.Hume@sportnz.org.nz>; s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Subject: RE: Transgender & transsexual policy consultation

Morning s9(2)(a)

Alice, s9(2)(a) and I had a good chat about this on Thursday. In short, Alice, s9(2)(a) are looking at the policy and determining if we can help or if we need to think about bringing in someone external to advise.

s9(2)(a) – did you get chance to have a read of the policy (attached for reference)? Let me know if you need me to use a few of my D&I contacts to support this review.

We also agreed that is an issues that is coming up a lot from youth sport to HP, so Alice and I will work on an process for commissioning some policy work in this space, which will provide the appropriate support and advice to the sector.

Ngā mihi,
s9(2)(a)

From: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Sent: Wednesday, 5 August 2020 9:06 AM

To: s9(2)(a) < s9(2)(a) sportnz.org.nz >
Subject: RE: Transgender & transsexual policy consultation

Hi s9(2)(a)

Thanks for sharing this. I am in wellington today and will ask someone from the policy team if they know anyone whom can review this for Athletics. Do you or other PMs know of other sports who have this or a similar policy?

I am not an expert on this. I think they have made a good start but some of the language doesn't seem quite right to me.

I'll let you know how I go today.

Ngā mihi,

s9(2)(a)

(2)(a)

Diversity and inclusion Manager



+64 s9(2)(a)
sportnz.org.nz



From: s9(2)(a) < s9(2)(a) sportnz.org.nz >
Sent: Monday, August 3, 2020 4:54 PM
To: s9(2)(a) < s9(2)(a) sportnz.org.nz >
Subject: FW: Transgender & transsexual policy consultation

Hi s9(2)(a)

Would you be able to help me with this? Is this something we would consider doing i.e. using our D&I expertise?

Sorry, I didn't know where to send this.....?

Many thanks

s9(2)(a)

National Partnership Manager



+64 **s9(2)(a)**
sportnz.org.nz



From: **s9(2)(a)** <**s9(2)(a)** [athletics.org.nz](mailto:s9(2)(a)@athletics.org.nz)>
Sent: Monday, 3 August 2020 4:38 PM
To: **s9(2)(a)** <**s9(2)(a)** [sportnz.org.nz](mailto:s9(2)(a)@sportnz.org.nz)>
Subject: Transgender & transsexual policy consultation

Kia ora **s9(2)(a)**

Is there anyone at Sport NZ who would be confident in reviewing our draft Transgender and Transsexual participation policy? We've pulled material from a number of best practice sources, and adapted to our needs – but we need to ensure we get this one as right as we can.

Any links would be much appreciated, as would your own thoughts.

Nga mihi,

s9(2)(a)
Community Manager



e **s9(2)(a)** [athletics.org.nz](mailto:s9(2)(a)@athletics.org.nz)
m **s9(2)(a)**
a The Pavilion, 17 Antares Place, Rosedale, Auckland 0632
PO Box 305 504, Triton Plaza, Auckland 0757

[Website](#) | [Facebook](#) | [Twitter](#)

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s9(2)(a)

From: s9(2)(a)
Sent: Wednesday, 19 August 2020 8:43 am
To: s9(2)(a) s9(2)(a)
Cc: Alice Hume
Subject: RE: Quick Question - Transgender Athletes and Rugby

Hi team

Athletics have requested feedback on their TG policy..... could it be that?

Cheers

s9(2)(a)

National Partnership Manager



+64 s9(2)(a)
sportnz.org.nz



From: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Sent: Tuesday, 18 August 2020 12:37 PM
To: s9(2)(a) <s9(2)(a)@sportnz.org.nz>; s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Cc: Alice Hume <Alice.Hume@xg.nz>
Subject: RE: Quick Question - Transgender Athletes and Rugby

Not me

s9(2)(a)

s9(2)(a)

National Partnerships Manager

MOBILE +64 [REDACTED]



sportnz.org.nz



From: [REDACTED] <[REDACTED]@sportnz.org.nz>
Sent: Tuesday, 18 August 2020 12:36 PM
To: [REDACTED] <[REDACTED]@sportnz.org.nz>; [REDACTED] <[REDACTED]@sportnz.org.nz>
Cc: Alice Hume <Alice.Hum@xg.nz>
Subject: Quick Question - Transgender Athletes and Rugby

Hi Gentlemen,

Are you able to let me know if NZR has contacted either of you to engage on the Transgender Athlete Policy for Rugby Union?

<https://www.stuff.co.nz/sport/300062487/nz-rugby-reviewing-guidelines-as-world-rugby-finds-transathletes-pose-physical-risk-in-womens-game>

Thanks

[REDACTED]

RELEASED UNDER THE OFFICIAL INFORMATION ACT

s9(2)(a)

From: s9(2)(a)
Sent: Tuesday, 18 August 2020 12:40 pm
To: s9(2)(a)
Subject: RE: Quick Question - Transgender Athletes and Rugby

Do you need me to find out where they are at with this?

s9(2)(a)

s9(2)(a)
National Partnerships Manager

MOBILE +64 s9(2)(a)



sportnz.org.nz



From: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Sent: Tuesday, 18 August 2020 12:39 PM
To: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Subject: RE: Quick Question - Transgender Athletes and Rugby

Thanks s9(2)(a) Please let me know if they do make contact.

They are due to report back to World Rugby in November.

Thanks

From: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Sent: Tuesday, 18 August 2020 12:37 pm
To: s9(2)(a) <s9(2)(a)@sportnz.org.nz>; s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Cc: Alice Hume <Alice.Hume@sportnz.org.nz>
Subject: RE: Quick Question - Transgender Athletes and Rugby

Not me

s9(2)(a)

s9(2)(a)

National Partnerships Manager

MOBILE +64 s9(2)(a)



sportnz.org.nz



From: s9(2)(a) <s9(2)(a)@sportnz.org.nz>

Sent: Tuesday, 18 August 2020 12:36 PM

To: s9(2)(a) <s9(2)(a)@sportnz.org.nz>; s9(2)(a) <s9(2)(a)@sportnz.org.nz>

Cc: Alice Hume <Alice.Hume@nz.govt.nz>

Subject: Quick Question - Transgender Athletes and Rugby

Hi s9(2)(a),

Are you able to let me know if NZR has contacted either of you to engage on the Transgender Athlete Policy for Rugby Union?

<https://www.stuff.co.nz/sport/300062487/nz-rugby-reviewing-guidelines-as-world-rugby-finds-transathletes-poses-physical-risk-in-womens-game>

Thanks

s9(2)(a)

RELEASED UNDER THE OFFICIAL INFORMATION ACT

s9(2)(a)

From: Alice Hume
Sent: Thursday, 20 August 2020 9:28 am
To: s9(2)(a)
Subject: RE: FOR APPROVAL

Apologies, I've been through this now and made some changes in track changes in the document.

Ngā mihi,
Alice

Alice Hume
Policy Manager



+64 s9(2)(a)
sportnz.org.nz



From: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Sent: Tuesday, 18 August 2020 4:24 PM
To: Alice Hume <Alice.Hume@sportnz.org.nz>
Subject: FOR APPROVAL

Hi

I have checked the HP stuff with s9(2)(a) and s9(2)(a) and it is good to go.

Ta

[Background information - World Rugby Transgender Position.docx](#)

World Rugby and Transgender participants



Provided to Minister's office on xx August 2020

Purpose

1. The purpose of this briefing is to provide you with background information on the recent developments in World Rugby (the world governing body for the sport of rugby union) and the implications for transgender Male to Female (MtF) participants and their participation in Rugby Union.
2. The paper will set out the Human Rights Act 1993 and the current positions for MtF participants across:
 - World Rugby,
 - New Zealand Rugby,
 - International Olympic Committee, and
 - Sport NZ and High Performance Sport NZ.

Background

World Rugby

3. In February 2020 World Rugby held the first transgender workshop in London. The intention of the workshop was to identify the principles for an equitable, safe and evidence-based policy for the inclusion of transgender individuals in sport. Individuals from a wide range of views and expertise attended including Katie Sadlier (World Rugby General Manager, Women's Rugby). The workshop was seen as ground breaking for the sport movement at the time.
4. Since this workshop, international and domestic media have reported that World Rugby is considering banning transgender MtF athletes from playing women's rugby because of safety concerns. World Rugby has undertaken research which it reports confirms that a reduction in testosterone levels "does not lead to a proportionate reduction in mass, muscle mass, strength or power".
5. It considers this creates a safety risk when transgender women play women's contact rugby. The research report has not been publicly released. However, World Rugby had distributed draft guidelines to National Governing Bodies, including New Zealand Rugby (NZR), for consultation. The guidelines will be discussed at the World Rugby Council Meeting in November 2020.
6. If the proposal proceeds, it would be the first international federation to ban MtF transgender athletes from competing in women's events. The ban would not apply to Female to Male (FtM) transgender athletes.
7. World Rugby has stated that it "remains committed to exploring alternative participation avenues for trans-gender athletes, including non-contact forms of the game."

New Zealand Rugby

8. NZR is undertaking a review of its Transgender Athlete Policy guidelines by establishing an internal review team. The internal review team consists of members of its respect and inclusion team, legal and medical teams.
9. The internal review team will look at contact forms of Rugby Union it is understood that it will not look to ban MtF athletes from women's competitions. The NZR review of the policy will be in line with what is appropriate for the New Zealand Market.
10. It is understood that NZR will engage with external stakeholders before it is expected to report back to the World Rugby Council Meeting in November 2020. Sport NZ understands that NZR has sought an extension to the timeline for response. This is to allow the outcome of the Caster Semenya case before the Court of Arbitration for Sport to inform their discussion and consultation process. Sport NZ has not yet been consulted. However, we will request to be part of the external stakeholder consultation.
11. Any decisions NZR makes for the New Zealand Market would need to be in line with current legislation including the Human Rights Act 1993 (see para 16 below).

International Olympic Committee (IOC)

12. Currently, World Rugby's transgender policy follows the International Olympic Committee's policy. The IOC policy requires MtF participants to suppress testosterone levels for at least a year before competing.
13. We would therefore expect that should World Rugby and the NZR decide to ban MtF athletes from participating in contact competitions within their own competitions this would not extend to participation by MtF athletes in Olympic Rugby. As was the case with the Regulation 8 of the World Rugby Regulations (Eligibility to Play for National Representative teams), World Rugby had to modify its strict rules on National Team Eligibility to allow players to represent their country in the Olympics. Previously, once a player represented one country at senior, first grade or on the Seven's circuit they were unable to play for another country.
14. However, it would be difficult for the transgender athlete to qualify for a place in the NZ women's team as they would not have the ability to compete in qualifying events¹.
15. To exclude MtF transgender athletes from the Olympic Rugby and other disciplines the IOC would need to amend its existing rules.

New Zealand context and Transgender participants

Human Rights Act 1993 (HRA)

16. The Human Rights Act 1993 (HRA) prevents the discrimination of individuals on the grounds of: sex, marital status, religious beliefs, ethical beliefs, colour, race, ethnic or national origins, disability, age, political opinion, employment status, family status and sexual orientation.
17. Section 49 sets out the Exceptions in relation to sport.

¹ For example, Caster Semenya is unable to qualify for the 400m, 800m and 1500m (as she will not take testosterone suppressants) for the Tokyo 2020 Olympics. This is off the back of a decision by the International Athletics Association Federation to require individuals with XY chromosomes competing in the women's 400m, 800m and 1500m to have reduced testosterone levels.

49 Exception in relation to sport

- (1) Subject to subsection (2), nothing in section 44 shall prevent the exclusion of persons of one sex from participation in any competitive sporting activity in which the strength, stamina, or physique of competitors is relevant.
- (2) Subsection (1) does not apply in relation to the exclusion of persons from participation in—
 - (a) the coaching of persons engaged in any sporting activity; or
 - (b) the umpiring or refereeing of any sporting activity; or
 - (c) the administration of any sporting activity; or
 - (d) sporting activities by persons who have not attained the age of 12 years.
- (3) It shall not be a breach of section 44 to exclude any person from any competitive sporting event or activity if that person's disability is such that there would be a risk of harm to that person or to others, including the risk of infecting others with an illness, if that person were to take part in that competitive sporting event or activity and it is not reasonable to take that risk.
- (4) It shall not be a breach of section 44 to conduct competitive sporting events or activities in which only persons with a particular disability or age qualification may take part.

18. Section 49(1) allows for the exclusion of individuals where the participation in any competitive sporting activity where strength, stamina, or physical of competitors would be relevant.

19. There is currently insufficient evidence that MtF individuals that meet the IOC's transgender policy have a competitive advantage.

Sport NZ position

20. Sport NZ does not have a transgender policy in place. However, it has the Sport NZ Integrity Framework – Supporting diversity. The leading principle for Supporting Diversity is:

“Every Kiwi has the right to participate in sport and recreation within a welcoming and inclusive environment, and to be treated with respect, empathy and positive regard irrespective of age, ability, ethnicity, gender, national origin, race, religion, sexual orientation, political beliefs or socio-economic status.”

21. Sport NZ, yourself, and previous Ministers for Sport and Recreation have received a number of letters from individuals and coalitions such as **s9(2)(a)** Sport regarding the inclusion of transgender women in women's sport.

22. In response we note:

- New Zealand's reputation for fair play and promoting diversity and inclusion.
- The IOC statement and requirements for eligibility for competition, that balance an individual's right to compete and ensure a fair field of play.
- That research into the area of testosterone levels continues and that we support the ongoing work to understand this issue while remaining open and inclusive.
- The Women and Girls' in Active Recreation strategy².

23. It is likely we will receive further correspondence once a determination by NZR and World Rugby and the inclusion of transgender participants is made.

² Although not specifically stated this includes transgender women.

Community and High Performance Sport

24. Statistics New Zealand does not currently hold sufficient data on New Zealand's Rainbow community. In recognition of this the 2023 Census will include questions that will allow for the collection of data for sex, gender identity, and sexual orientation.
25. Until such time, we only have anecdotal information from organisations such as Gender Minorities Aotearoa (1.2% or 56,316 individuals³). However, we have no information on the numbers of transgender individuals who participate in community sport nor a breakdown of the sports and or active recreation activities in which they participate.
26. We do know that there has been an increase in queries from National Sports Organisations about supporting transgender individuals taking part in their sports and for advice on transgender policies.
27. High Performance Sport NZ (HPSNZ) recognises the importance of inclusion and diversity in the high performance system. As such it supports the inclusion of transgender athletes who wish to compete in elite sport.
28. Currently, HPSNZ has one transgender individual who is fully supported through HPSNZ, their international federation (Olympic Weightlifting New Zealand), and the New Zealand Olympic Committee to compete on the world stage.

Next Steps

29. Sport NZ will seek to engage with NZR as part of the external stakeholder's consultation. We will update you on the issue as it progresses through the fortnightly update.

³ Based on the Youth '12 Survey 1.2% identify as transgender (NZ Population of 4.693m * 1.2% = 56,316 individuals): Source <https://genderminorities.com/2018/09/11/number-of-trans-people-in-nz/>

s9(2)(a)

From: s9(2)(a)
Sent: Thursday, 20 August 2020 10:08 am
To: s9(2)(a)
Subject: FW: Transgender Athletes and Rugby

Hi s9(2)(a)

Please see the response from NZR below

s9(2)(a)

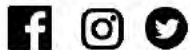
s9(2)(a)

National Partnerships Manager

MOBILE +64 s9(2)(a)



sportnz.org.nz



From: s9(2)(a) <s9(2)(a)@nznzrugby.co.nz>
Sent: Thursday, 20 August 2020 8:54 AM
To: s9(2)(a) <s9(2)(a)@nznzrugby.co.nz>; s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Subject: RE: Transgender Athletes and Rugby

Thanks s9(2)(a)

s9(2)(a) – we are aligning our approaches to consultation on this around both our response to WR and to the development of our Community Rugby policy. NZR and the RFU have sent a joint letter to WR asking for an extension to the current timeline so that we can see the outcomes of the Caster Semenya case and to allow a better window for meaningful consultation. We are yet to hear back but are hopeful this will allow more time to actually consult. In any case, we will be looking to consult with the appropriate groups and are working through a process and approach for this now.

Let me know if you need anything else.

Cheers,

s9(2)(a)

From: s9(2)(a) <s9(2)(a)@nzrugby.co.nz>
Sent: Thursday, 20 August 2020 8:15 am
To: s9(2)(a) <s9(2)(a)@sportnz.org.nz>; s9(2)(a) <s9(2)(a)@nzrugby.co.nz>
Subject: RE: Transgender Athletes and Rugby

Hi s9(2)(a)

s9(2)(a) is leading this – and I will let him update

s9(2)(a)

From: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Sent: Tuesday, 18 August 2020 12:48 PM
To: s9(2)(a) <s9(2)(a)@nzrugby.co.nz>
Subject: Transgender Athletes and Rugby

Hi s9(2)(a)

Just wondering where you are at with this review as one of our policy team is currently writing something for the Minister and would like to include an update.

<https://www.stuff.co.nz/sport/300062487/nz-rugby-reviewing-guidelines-as-world-rugby-finds-transathletes-pose-physical-risk-in-womens-game>

Cheers

s9(2)(a)

s9(2)(a)
National Partnerships Manager

MOBILE +64 s9(2)(a)



sportnz.org.nz



A black banner with white and orange text. On the left is the Sport New Zealand logo. The main text reads "KEEP UP WITH THE PLAY" and "YOUTH SPORT IS CHANGING. THE THINKING IS CHANGING." Below this is the website "KeepUpWithThePlay.org.nz".

From: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Sent: Tuesday, 18 August 2020 12:36 PM
To: s9(2)(a) <s9(2)(a)@sportnz.org.nz>; s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Cc: Alice Hume <Alice.Hume@sportnz.org.nz>
Subject: Quick Question - Transgender Athletes and Rugby

Hi **s9(2)(a)**

Are you able to let me know if NZR has contacted either of you to engage on the Transgender Athlete Policy for Rugby Union?

<https://www.stuff.co.nz/sport/300062487/nz-rugby-reviewing-guidelines-as-world-rugby-finds-transathletes-pose-physical-risk-in-womens-game>

Thanks

s9(2)(a)

Sport New Zealand is the crown entity responsible for Aotearoa New Zealand's play, active recreation and sport system.

For more details, visit www.sportnz.org.nz

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Your assistance is appreciated.

s9(2)(a)

Chief Transformation Officer

+64 **s9(2)(a)** | **s9(2)(a)** nzrugby.co.nz

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s9(2)(a)

From: Alice Hume
Sent: Friday, 21 August 2020 9:19 am
To: s9(2)(a)
Subject: RE: FOR COMMENT BY WEDNESDAY noon: Transgender & transsexual policy consultation

Yes, thanks

Ngā mihi,
Alice

Alice Hume
Policy Manager



+64 s9(2)(a)
sportnz.org.nz



From: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Sent: Friday, 21 August 2020 9:17 AM
To: Alice Hume <Alice.Hume@sportnz.org.nz>
Subject: FW: FOR COMMENT BY WEDNESDAY noon: Transgender & transsexual policy consultation

Hi Alice.

Are you all good with this going through to s9(2)(a) and s9(2)(a)

tahnks

From: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Sent: Thursday, 20 August 2020 4:32 pm
To: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Subject: RE: FOR COMMENT BY WEDNESDAY noon: Transgender & transsexual policy consultation

Sorry for the late reply – looks good to me, I have nothing to add.

s9(2)(a) || Senior Policy Advisor || Sport NZ
Tel: s9(2)(a) || s9(2)(a) sportnz.org.nz

From: s9(2)(a) <s9(2)(a) sportnz.org.nz>
Sent: Friday, 14 August 2020 10:50 AM
To: s9(2)(a) <s9(2)(a) sportnz.org.nz>; s9(2)(a) <s9(2)(a) sportnz.org.nz>; Alice Hume <Alice.Hume@sportnz.org.nz>
Subject: FOR COMMENT BY WEDNESDAY noon: Transgender & transsexual policy consultation

Hi All

Draft policy attached from ANZ and comments drafted below. Looking to finalise this by Wednesday next week.

ta

Hi

Thanks for the opportunity to review and comment on your Transgender Policy. The Policy has been reviewed in line with Sport NZ's Sport Integrity Framework – Supporting Diversity. The leading principle for Supporting Diversity is:

“Every Kiwi has the right to participate in sport and recreation within a welcoming and inclusive environment, and to be treated with respect, empathy and positive regard irrespective of age, ability, ethnicity, gender, national origin, race, religion, sexual orientation, political beliefs or socio-economic status.”

More details can be found at the following web- location: <https://sportnz.org.nz/managing-sport/search-for-a-resource/sport-integrity-framework-supporting-diversity>

Below are some comments for you to consider on the policy as drafted:

Human Rights Act 1993 (HRA)

1. It would be beneficial for your policy to reference the HRA in particular the section 49 which outlines clearly the 'exceptions in relation to sport'.
2. You may also like to clearly point out in the policy that individuals under the age of 12 may participate in which ever gender they affiliate with. As per section 49 (2)(d).

Privacy Act 1993

3. You may like to reference your ANZ Privacy Act 1993 Policy in the Confidentiality section.
4. You may like to consider changing 'provide evidence' to 'provide additional documentation'

Levels of Competition

5. s9(2)(ba)(i), s9(2)(g)(ii)
[Redacted content]

General Comments

s9(2)(ba)(i), s9(2)(g)(ii)

Sport NZ would also recommend that you provide or consult with the Rainbow community and the Human Right Commission on your proposed policy. We suggest [REDACTED] s9(2)(a) .

Thank you.

From: [REDACTED] s9(2)(a) <[REDACTED] s9(2)(a) sportnz.org.nz>
Sent: Monday, 10 August 2020 4:42 pm
To: [REDACTED] s9(2)(a) <[REDACTED] s9(2)(a) sportnz.org.nz>
Subject: FW: Transgender & transsexual policy consultation

[REDACTED] s9(2)(a) || Senior Policy Advisor || Sport NZ
Tel: [REDACTED] s9(2)(a) || [REDACTED] s9(2)(a) sportnz.org.nz

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s9(2)(a)

From: Eddie Kohlhase
Sent: Sunday, 23 August 2020 7:42 pm
To: s9(2)(a)
Subject: FW: The Placebo

Categories: Saved to KC

Hi s9(2)(a)

Have a look at this publication below

Eddie

[US judge blocks law banning trans athletes from women's sports](#)

[Policy allowing transgender athletes to compete as girls found to violate US law](#)

Eddie Kohlhase | General Manager Performance Partnerships

High Performance Sport New Zealand

Physical Address: Millennium Institute of Sport & Health, 17 Antares Place, Mairangi Bay 0632

Postal Address: PO Box 302 563, North Harbour, Auckland 0751

Mobile: s9(2)(a)

Email: eddie.kohlhase@hpsnz.org.nz

Web: www.hpsnz.org.nz



HIGH PERFORMANCE
SPORT NEW ZEALAND

From: Bruce Hamilton <bruce.hamilton@hpsnz.org.nz>
Sent: Friday, 21 August 2020 10:00 am
To: Eddie Kohlhase <Eddie.Kohlhase@hpsnz.org.nz>
Subject: The Placebo

Can't view this email properly?

FORWARD



HIGH PERFORMANCE
SPORT NEW ZEALAND

THE PLACEBO



Finn Bilous in action during the men's Obsidian Park Jam competition at Cardrona.

August
21
2020

IN THIS ISSUE

COVID-19: The Week in Review #23

Wanted: Performance Health Operations Support

Its Moments Like These: When the Wind Turns

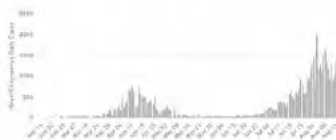
Controversy Corner: US Transgender Athletes

Tokyo Topics: Rodchenkov Affair

Blogger Me: Runinating on COVID-19

Low Energy Availability in Sport

COVID-19: The Week in Review #23



This COVID thing - it's relentless. That would sum up my feeling as we approach the end of the week. New Zealand is showing encouragingly low numbers of new cases despite high rates of testing, which augers well for the impact of the 'go hard, go early'

approach to level escalation. Fingers crossed for the next week's numbers which will largely determine the country's next movements. It's hard to find a country in Western Europe that isn't entering a second phase of COVID-19 growth (for a nice accessible international information/status resource see [here](#)), but the curves are not yet as dramatic as the first wave. Despite the resurgence of cases in Europe, some International Federations have now resumed international competitions - in my view, the impact and effectiveness of this strategy in the middle of a pandemic remains to be seen - but fingers crossed. As we have seen repeatedly in the media over recent weeks, the best laid plans can't always account for uncontrollable human and viral factors (see [here](#) for reports on the consequences at French rugby club Stade Francais).

However, with International Federations working hard to run events, and a universal desire to have New Zealand Athletes competing - when safe - it's been a week for me to reflect on some of the ethical and operational conundrums that this process has unearthed for health care providers working in this crazy world of sport. More on this to follow!

Confirmed worldwide infections now stand at 21,294,845 (up from 20,162,474 last week). Worldwide there have been 761,779 deaths up from 737,417 last week. Disppointingly, as can be seen in the attached graphic, infection numbers in Japan are on the climb again. This week the WHO has refreshed its approach to data reporting, and is now producing a Weekly Epidemiological Update. Available [here](#), this looks like an enhanced reporting approach worth following. If you want to read one thing this week, have a look at this opinion from BMJ on the state of anti-body testing in the UK.

[Why covid-19 antibody tests are not the game changer the UK government claims](#)

A huge thanks, big hand and slap on the back to everyone in the Performance Health team around the country who so smoothly adapted to the Level 2 and 3 requirements over the last 10 days. It's been an absolute pleasure to be part of such an engaged and resourceful team - both Fi and I are flattered by your efforts.

Wanted: Performance Health Operations Support



The Performance Health Operations team play a critical role in the successful delivery of HPSNZ health support to athletes. We have an excellent team, and are now looking to add to that team in the Waikato region.

Specifically, HPSNZ is looking for a capable, professional and experienced individual to provide opearational and front-of-house support at the busy Regional Training Centres in Cambridge.

The role exists within the operations team that support a large team of dedicated professionals committed to providing optimal sports medicine and rehabilitative services to athletes.

If you may know someone who is interested in being part of a great team and a great environment, please pass on the [link](#) or contact Chris.Kirman@hpsnz.org.nz directly for further information.

Its Moments Like These: When the Wind Turns



When there's lots going on, and you can't get to your colouring pencils (ha, that cheap shot's just for Campbell), it's often the small things in life that make us realise how fortunate we are.

Yesterday up here in Auckland it was a typically miserable Auckland day, howling easteries and belting rain. Then at 4pm, the wind turned to the west, the beach cleaned up, and for an hour there were clean waves to play in at the bottom of the street. Sanity moment.

I hope you have all got your fill of life moments this week, and in these strange times, please make the most of it when you do.

Photo is of Sarah Beable getting her fill of life moments, while doing an early morning session in Wanaka.

Controversy Corner: US Transgender Athletes



That this is a complex, complicated and often emotive topic is difficult to deny. International Federations, the IOC and national sporting bodies continue to grapple with the topic of transgender athlete participation in all levels of sport - including the elite

level.

This week, a judge in Idaho, USA put a temporary injunction on a law that stops transgender athletes at a university level from participating. Specifically the law being blocked:

"disallow[s] transgender athletes from playing on a team matching their gender identity [and] contains a provision allowing anyone to challenge a person's identity. It [is then] incumbent upon the athletes to verify their gender through an exam or genetic testing."

By contrast, a couple of months ago Connecticut, the High School policy that allowed for Transgender participation was challenged as breaching the rights of women who have always identified as women!

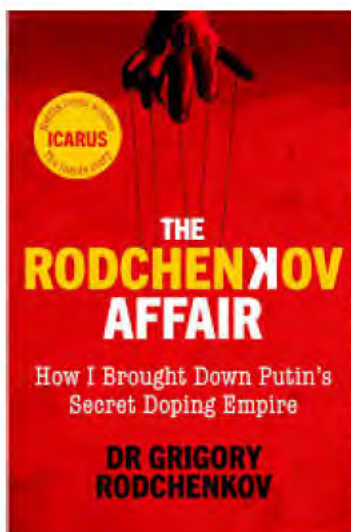
Get your teeth into these two newspaper stories and see what you think!

[US judge blocks law banning trans athletes from women's sports](#)

[Policy allowing transgender athletes to compete as girls found to violate US law](#)

Many New Zealand NSO's have transgender participation policies - do you know the rules in your NSO?

Tokyo Topics: Rodchenkov Affair



As we look ahead to Tokyo 2020 one of the challenges of doping will increasingly be front of mind. There is no doubt that the ongoing Russian Doping dilemma will be part of that dialogue.

Anyone who has watched 'Icarus' will be familiar with the infamy of Dr Grigory Rodchenkov, former head of the Russian Anti-Doping Agency and now marooned in the USA. This week I had the opportunity to read his recently published book, and with regret, I think it's worth a read.

Two aspects draw me to this reluctant conclusion (reluctant in as much as I'm loathe to support anyone with such questionable morals). Firstly, Rodchenkov provides an interesting and first hand insight into the last couple of decades of doping practice in Russia, and by implication the weakness of anti-doping generically in the early 21st century. Secondly, because of the complex conflicting perspectives that it presents, it reminds me of our human frailties - but I don't think that was what [redacted] intended.

It's an easy and engrossing read - happy to share my copy as able!

The Rodchenkov Affair: How I Brought Down Putin's Secret Doping Empire

Dr Grigory Rodchenkov

Blogger Me: Runinating on COVID-19



Apologies for the density of the COVID-19 information, but there's lots out there for us to consider. Have a look at these musings from the last week or so...

- [New Zealand's Elimination Strategy](#)

[Swimmer vs. Channel vs COVID](#)

[COVID-19 - Winning the Battle?](#)

[Cardiac COVID with Jon Drezner](#)

Low Energy Availability in Sport



Congratulations to Dane Baker, Katherine Black and Stacy Simms, all members of the WHISPA initiative in publishing this valuable manuscript this week. Highly informative, well written and targeting clear messages to a broad audience, this is an excellent piece of work.

I would strongly recommend reading, and passing around coaches and support staff within your NSO, as a great opportunity to promote women's health discussions. There's some great messages like:

"The long term (5-10+ years) after LEA is currently unknown; yet, we may be placing female athletes at chronic health issues and prolonged decreases in quality of life."

Watch this space for WHISPA initiatives rolling out over the next few months, as we look to optimise female athletes' health and wellbeing.

**Nutritional Needs of the Female Athlete: Risk and
Prevention of Low Energy Availability**

Black, Baker & Sims S&C Journal

Abstract available [here](#). For further details, contact me directly.

You are receiving this email as you subscribed to our database. You can unsubscribe at any time by emailing whare.kite@hpsnz.org.nz. Your email details will not be shared with any third party agencies.

s9(2)(a)

From: s9(2)(a)
Sent: Tuesday, 25 August 2020 3:30 pm
To: s9(2)(a) s9(2)(a)
Subject: RE: Athletics NZ - Transgender & transsexual policy consultation

Great, thanks s9(2)(a) It was s9(2)(a) – I'll find the email and forward it on. Agree they do a great job.

What's the focus of the Rainbow Community Board paper? Be great to understand that in relation to future D&I work. Just so you know we have a sexuality question in the Workforce Diversity Survey which goes out in the few weeks to understand the diversity and sense of inclusion across sector organisation (partners and non partners). It will help us understand the rainbow community within the workforce and the sense of inclusion in their organisation.

Let us know how you go s9(2)(a)

Ngā mihi,
s9(2)(a)

From: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Sent: Tuesday, August 25, 2020 3:02 PM
To: s9(2)(a) <s9(2)(a)@sportnz.org.nz>; s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Subject: RE: Athletics NZ - Transgender & transsexual policy consultation

Agree s9(2)(a) with the comment around inclusive tone. I am working on a Rainbow Community board paper and have been to a workshop with s9(2)(a)

I have found them to be the most proactive organisation and easy to work with. I have not worked with s9(2)(a) but have been more focussed on the rangitane/tamariki age groups hence s9(2)(a) and s9(2)(a)

I would be keen to see the information you got from them on the workshop – did this come from s9(2)(a)

Thanks for picking up the change of web-address.

From: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Sent: Tuesday, 25 August 2020 2:55 pm
To: s9(2)(a) <s9(2)(a)@sportnz.org.nz>; s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Subject: RE: Athletics NZ - Transgender & transsexual policy consultation

Thanks s9(2)(a) I think this is really useful feedback for Athletics.

s9(2)(ba)(i), s9(2)(g)(ii)

Just a note that this link no longer works with the new website – I had a quick look but could not find the same link on the new site: <https://sportnz.org.nz/managing-sport/search-for-a-resource/sport-integrity-framework-supporting-diversity>

Ngā mihi,

s9(2)(a)

From: s9(2)(a) <s9(2)(a)@sportnz.org.nz>

Sent: Friday, August 21, 2020 9:25 AM

To: s9(2)(a) <s9(2)(a)@sportnz.org.nz>; s9(2)(a) <s9(2)(a)@sportnz.org.nz>

Subject: Athletics NZ - Transgender & transsexual policy consultation

s9(2)(a) and s9(2)(a)

Below is the draft email regarding the Athletics NZ Transgender Policy provided to Sport NZ for comment.

Thanks

s9(2)(a)

Hi

Thanks for the opportunity to review and comment on your Transgender Policy. The Policy has been reviewed in line with Sport NZ's Sport Integrity Framework – Supporting Diversity. The leading principle for Supporting Diversity is:

“Every Kiwi has the right to participate in sport and recreation within a welcoming and inclusive environment, and to be treated with respect, empathy and positive regard irrespective of age, ability, ethnicity, gender, national origin, race, religion, sexual orientation, political beliefs or socio-economic status.”

More details can be found at the following web- location: <https://sportnz.org.nz/managing-sport/search-for-a-resource/sport-integrity-framework-supporting-diversity>

Below are some comments for you to consider on the policy as drafted:

Human Rights Act 1993 (HRA)

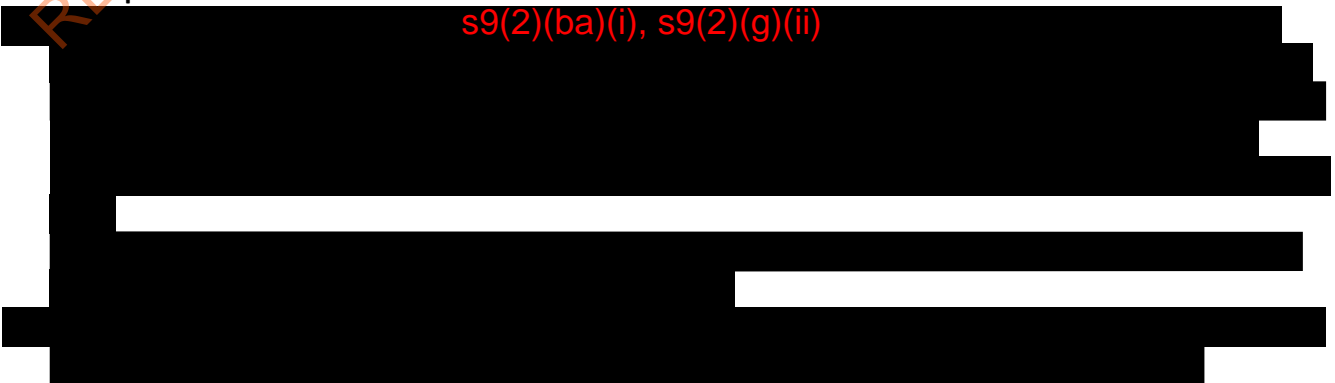
1. It would be beneficial for your policy to reference the HRA in particular the section 49 which outlines clearly the ‘exceptions in relation to sport’.
2. You may also like to clearly point out in the policy that individuals under the age of 12 may participate in which ever gender they affiliate with. As per section 49 (2)(d).

Privacy Act 1993

3. You may like to reference your ANZ Privacy Act 1993 Policy in the Confidentiality section.
4. You may like to consider changing ‘provide evidence’ to ‘provide additional documentation’

Levels of Competition

s9(2)(ba)(i), s9(2)(g)(ii)



s9(2)(g)(i), s9(2)(ba)(i), s9(2)(g)(ii)

General Comments

s9(2)(g)(ii), s9(2)(ba)(i)

Sport NZ would also recommend that you provide or consult with the Rainbow community and the Human Right Commission on your proposed policy. We suggest s9(2)(a) and s9(2)(a)

Thank you.

RELEASED UNDER THE OFFICIAL INFORMATION ACT

s9(2)(a)

From: s9(2)(a)
Sent: Tuesday, 25 August 2020 4:13 pm
To: s9(2)(a)
Cc: s9(2)(a); s9(2)(a)
Subject: FW: Athletics NZ - Transgender & transsexual policy consultation

Hi s9(2)(a)

Thanks so much for your patience with this, not a straight forward topic.

Please find some feedback below from our subject matter experts s9(2)(a) (Diversity and Inclusion Manager) and s9(2)(a) (Ministerial Servicing advisor).

Feel free to drop us a line with any further questions, or if you would like to discuss further. Suggest s9(2)(a) in the first instance.

Thanks and regards

s9(2)(a)
National Partnership Manager



+64 s9(2)(a)
sportnz.org.nz



From: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Sent: Tuesday, 25 August 2020 2:55 PM
To: s9(2)(a) <s9(2)(a)@sportnz.org.nz>; s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Subject: RE: Athletics NZ - Transgender & transsexual policy consultation

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Ngā mihi,

s9(2)(a)

From: s9(2)(a) <s9(2)(a)@sportnz.org.nz>

Sent: Friday, August 21, 2020 9:25 AM

To: s9(2)(a) <s9(2)(a)@sportnz.org.nz>; s9(2)(a) <s9(2)(a)@sportnz.org.nz>

Subject: Athletics NZ - Transgender & transsexual policy consultation

s9(2)(a) and s9(2)(a)

Below is the draft email regarding the Athletics NZ Transgender Policy provided to Sport NZ for comment.

Thanks

s9(2)(a)

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"Every Kiwi has the right to participate in sport and recreation within a welcoming and inclusive environment, and to be treated with respect, empathy and positive regard irrespective of age, ability, ethnicity, gender, national origin, race, religion, sexual orientation, political beliefs or socio-economic status."

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1. It would be beneficial for your policy to reference the HRA in particular the section 49 which outlines clearly the 'exceptions in relation to sport'.
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Privacy Act 1993

3. You may like to reference your ANZ Privacy Act 1993 Policy in the Confidentiality section.
4. You may like to consider changing 'provide evidence' to 'provide additional documentation'

Levels of Competition

s9(2)(ba)(i), s9(2)(g)(ii)

General Comments

s9(2)(ba)(i), s9(2)(g)(ii)

Sport NZ would also recommend that you provide or consult with the Rainbow community and the Human Right Commission on your proposed policy. We suggest s9(2)(a) and s9(2)(a)

Thank you.

RELEASED UNDER THE OFFICIAL INFORMATION ACT

s9(2)(a)

From: s9(2)(a)
Sent: Tuesday, 25 August 2020 11:39 am
To: s9(2)(a)
Cc: s9(2)(a)
Subject: RE: Protecting women's sport

Thanks s9(2)(a) I was in a meeting when you called, so I'm sorry I missed you.

I'll pick this up with Jennah and I'll also loop in s9(2)(a) as this is an area which touches on a number of work streams.

s9(2)(a)

From: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Sent: Tuesday, 25 August 2020 10:05 AM
To: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Cc: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Subject: FW: Protecting women's sport

Hi s9(2)(a)

I left a message on your phone. Here is a quick email to follow up.

On a call with the 5 NSO we worked with to develop the KUWTP Campaign, they raised there Trans Gender area.

s9(2)(f)(iv), s9(2)(g)(i)
s9(2)(a) said that NZR had been in touch with Jennah, so there was some engagement with us re the area and likely learnings / support to other sports. NZR had contracted Allen and Clarke who developed a policy for Capital Football (a year ago) to lead the work, you may know s9(2)(a) who use to be Chair at Capital. There are tight timeframes for NZR set by world rugby. I just wanted to make sure you were looped in.

The other sports are also keen for support learnings and have also been emailed by the individual / group below and attached advocating for change.

I just wanted to make sure from an integrity perspective you were aware. I can connect you with s9(2)(a) if needed, just let me know.

Cheers

s9(2)(a)

s9(2)(a)

National Sport Development Consultant



+64 s9(2)(a)
sportnz.org.nz



From: s9(2)(a) <s9(2)(a)@netballnz.co.nz>
Sent: Monday, 24 August 2020 10:40 am
To: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Subject: FW: Protecting women's sport

Kind regards

s9(2)(a)
Head of Community
Netball New Zealand

Mobile s9(2)(a)

From: Info @ Netball New Zealand <inxx@xxxxxxxxx.xx.xx>
Sent: Friday, 31 July 2020 1:08 PM
To: s9(2)(a) <s9(2)(a)@netballnz.co.nz>
Subject: FW: Protecting women's sport

FYI

From: s9(2)(a) <s9(2)(a)@gmail.com>
Sent: Friday, 31 July 2020 12:37 PM
To: Info @ Netball New Zealand <info@netballnz.co.nz>
Subject: Protecting women's sport

Dear Netball NZ,

We are a group of New Zealanders passionate about preserving biology-based eligibility standards for participation in female sports.

In February, World Rugby became the first sport to convene a comprehensive multi-disciplinary working group, composed of experts in performance, science, medicine, risk, law, and socio-ethics, to consider transgender participation. The resultant report states that "there is likely to be at least a 20-30% risk of injury" when a female player is tackled by someone who has gone through male puberty. It also confirms that the latest science shows that trans women retain "significant" physical advantages over biological women, even after they take medication to lower their testosterone.

The recommendation from World Rugby is not that trans women be banned from playing, but that they play in either mixed touch rugby teams, or men's teams where they are physically better matched to their

opponents.

This is a safe and fair proposal that has been welcomed by women's groups, female athletes and also endorsed by Boxing NZ. President, Steve Hartley, says: "Our sport prides itself on how safe it is for participants and one of the layers of safety we encourage is even matching of participants and the division between female and male competitors."

Everyone is entitled to participate in sport and should be encouraged to do so. However, no-one is entitled to compete in whichever category they choose. We divide sport by sex, age, and capability to ensure fairness and player safety.

We are currently undergoing research to understand the growing trend of demands for transwomen to compete against females and to learn whether sporting organisations have a plan to deal with this issue.

We think now is an opportune time for your sport to take advantage of the detailed investigation carried out by World Rugby and recognise that policies are urgently needed to prioritise and protect safety and fairness for women.

Please find a letter attached with more information, along with a link to our research questionnaire. We'd love your input on [here](#).

Should you have any questions, please don't hesitate to get in touch, and we will look forward to hearing from you soon.

Regards

s9(2)(a)
on behalf of s9 s9(2)(a)

RELEASED UNDER THE OFFICIAL INFORMATION ACT

s9(2)(a)

From: s9(2)(a)
Sent: Friday, 28 August 2020 9:17 am
To: Jennah Wootten; s9(2)(a) s9(2)(a)
Cc: s9(2)(a) s9(2)(a) s9(2)(a)
Subject: A&C Transgender Work

Categories: Saved to KC

Mōrena Team

Here is the A&C work undertaken for football.

<http://www.capitalfootball.org.nz/asset/downloadasset?id=eba165b3-6e1b-4425-a738-3ba1b5c2a6b9>

s9(2)(a)

Ngā mihi rārau | Thanks very much

s9(2)(a)
Project Manager, Integrity



+64 s9(2)(a)
sportnz.org.nz



s9(2)(a)

From: Dave Adams
Sent: Monday, 31 August 2020 4:56 pm
To: s9(2)(a) s9(2)(a) s9(2)(a) Paul Heron; s9(2)(a) s9(2)(a) s9(2)(a)
s9(2)(a) s9(2)(a) s9(2)(a) s9(2)(a) s9(2)(a)
Subject: Agenda and prep for Futures meeting - Tuesday 9.30am
Attachments: 11. High Performance Sport.pptx; 1. Covid 19.pptx; 2. Funding.pptx; 3. Future Leisure Influencers.pptx; 4. Society.pptx; 5. Human Enhancements.pptx; 6. Demographic Change.pptx; 7. Health Trends.pptx; 8. Climate Change.pptx; 9. Esport.pptx; 10. Economic Focus.pptx

*Extract from 11.High performance Sport.pptx
attached - all other documents are out of scope of
the request.*

...and

Key focus for meeting tomorrow are drivers of change and implications for play, active recreation and sport. This involves:

- Drivers and implications from Māori scan
- Identification of most impactful of 100+ drivers of change identified through scans
- Comment on Working Groups identification of key drivers of change (as told through story)

I have wall papered meeting room 2 with all 100+ drivers of change. This will not be overly effective for those connecting virtually. Rather, you will need to access said drivers of change through attached.

The intent of the exercise is to identify the five drivers of change you think will have the most impact on play, active recreation and sport. Feel free to get a head start.

I will keep wall paper and encourage all staff to file through over the next couple of weeks and identify their top 5. Also doing in Auckland.

See you at 9.30.

Ngā mihi

DAVE ADAMS

Head of Government Relations and Strategic Foresight

MOBILE +64 s9(2)(a)



sportnz.org.nz



From: Dave Adams
Sent: Monday, 31 August 2020 6:42 am
To: s9(2)(a) <s9(2)(a)@sportnz.org.nz>; s9(2)(a) <s9(2)(a)@sportnz.org.nz>; s9(2)(a)

< s9(2)(a) sportnz.org.nz>; Paul Heron <paul.heron@sportnz.org.nz>; s9(2)(a)
< s9(2)(a) sportnz.org.nz>; s9(2)(a) < s9(2)(a) sportnz.org.nz>; s9(2)(a) s9(2)(a)
< s9(2)(a) s9(2)(a) sportnz.org.nz>; s9(2)(a) < s9(2)(a) sportnz.org.nz>; s9(2)(a)
< s9(2)(a) sportnz.org.nz>; s9(2)(a) < s9(2)(a) sportnz.org.nz>; s9(2)(a)
< s9(2)(a) sportnz.org.nz>

Subject: Agenda and prep for Futures meeting - Tuesday 9.30am

Morena

Following is agenda for our session tomorrow.

There are two items for you to read ahead of the meeting – Maori scan (written by s9(2)(a)) and two-page assumptions story. The scan is quite long. Ideally read it all, but at least the first 10 pages.

The assumptions story captures a view of the future from the first futures workshop based on identification of key drivers of change. It represents a narrative starting point for our futures exploration.

Agenda

1. Karakia
2. Maori scan discussion
 - What surprised you?
 - What are the implications for play, active recreation, sport?
3. Drivers of change
 - Reflecting on the scans to date, identify 3-4 drivers of change that you believe are most impactful to the future of play, active recreation and sport.
4. Assumptions story
 - What in the story do you agree or disagree with? What is missing?
5. Update on futures process and next steps
6. Karakia

Ngā mihi

DAVE ADAMS

Head of Government Relations and Strategic Foresight

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sportnz.org.nz





High Performance Sport

Identity and gender fluidity

- As genderfluidity develops, strongly gender-aligned activities will come under pressure, with mixed teams possibly increasingly the future norm.
- The emergence of new forms of identity expression may weaken the traditional relationship between the individual's sense of identity and its embodiment through specific sporting codes.
- Risk to the integrity and public acceptance of female sporting contests where there are transgender athletes participating.

Changes to the function & structure of society

Personal identity becoming more varied

- **As genderfluidity develops, strongly gender-aligned activities will come under pressure.** The few instances where questions of transgender sport participation have been raised to date are likely to become more frequent if/when wider society becomes more open to gender fluidity.
- **Changing profile of national sport representation:** In future, the emergence of new forms of identity expression may weaken the traditional relationship between the individual's sense of identity and its embodiment through specific sporting codes

s9(2)(a)

From: Jennah Wootten
Sent: Tuesday, 1 September 2020 5:16 pm
To: s9(2)(a)
Subject: FW: introduction - NZR and Sport NZ - transgender policy approach

Categories: Saved to KC

FYI.

Jennah Wootten
General Manager, Partnerships and Communication



+64 s9(2)(a)
sportnz.org.nz



From: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Sent: Tuesday, 1 September 2020 2:49 PM
To: Jennah Wootten <Jennah.Wootten@sportnz.org.nz>
Subject: RE: introduction - NZR and Sport NZ - transgender policy approach

Hi Jennah,

Nothing from me on this.

s9(2)(a)

s9(2)(a)
National Partnerships Manager - Lead



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sportnz.org.nz



From: Jennah Wootten <Jennah.Wootten@sportnz.org.nz>

Sent: Monday, 31 August 2020 10:05 AM

To: s9(2)(a) <s9(2)(a)sportnz.org.nz>; s9(2)(a) <s9(2)(a)sportnz.org.nz>; s9(2)(a) <s9(2)(a)sportnz.org.nz>; s9(2)(a) <s9(2)(a)sportnz.org.nz>; s9(2)(a) <s9(2)(a)sportnz.org.nz>; s9(2)(a) <s9(2)(a)sportnz.org.nz>

Cc: Alice Hume <Alice.Humx@xxxxxxx.xxg.nz>; Sheryl Nichols <Sherxx.xxxxxxx@xxxxxxx.xxx.nz>

Subject: FW: introduction - NZR and Sport NZ - transgender policy approach

Morena

Further to our meeting on Friday morning, please find below and attached my correspondence with NZR.

As agreed, please can you:

- Review the below and and attached and revert with any feedback that you'd want to see included in an updated brief to Allen&Clarke to ensure this was a piece of work with relevance and value to the wider sector
- Confirm you've briefed your manager / GM on this piece of work and your involvement

If you could please come back to me with this feedback by **5pm on Wednesday**, that would be great. I'll then compile that into a revised brief and work with NZR to get a quote for the revised brief.

Thank you

Jennah

Jennah Wootten

General Manager, Partnerships and Communication



+64 [s9\(2\)\(a\)sportnz.org.nz](tel:+64s9(2)(a)sportnz.org.nz)



From: s9(2)(a) <s9(2)(a)@nznzrugby.co.nz>
Sent: Monday, 31 August 2020 9:47 AM
To: Jennah Wootten <Jennah.Wootten@sportnz.org.nz>
Subject: RE: introduction - NZR and Sport NZ - transgender policy approach

Hi Jennah,

Please see some thoughts below to support discussions at your end – let me know if any further questions or if you want to discuss.

Background

In July of this year, NZ Rugby received from World Rugby a proposed set of guidelines (for feedback) that would guide the participation of trans athletes in World Rugby sanctioned events. World Rugby are also asking whether there is any reason why these guidelines couldn't be adopted at community level.

NZ Rugby have some immediate concerns in that the timeline for feedback is tight and does not allow for any meaningful engagement with our own stakeholders to allow a more balanced submission. It also relies on research that our own data scientists believe is not fulsome enough to come to any conclusions around trans participation at this stage.

The release of these proposed guidelines has now driven a mandate to consider our approach more robustly and we are therefore considering a consultation and engagement approach that will allow us better insights to inform, particularly, our community approach. We are clear that any consultation process will not be complete prior to NZR needing to submit our feedback to WR, however, NZR will be strongly suggesting a delay to any decision being made to allow member unions more time to complete a meaningful process that will more fully inform their decision.

Scope

As we have considered our approach to this, it has become very clear this is a polarising topic that will need careful engagement and navigation. On that basis, NZR management quickly landed on the option of outsourcing to an organisation with history and capability in this space. Allen & Clarke came recommended as an organisation who had run similar processes and we met with them on August 21 with the following brief for discussion:

NZR may be interested in engaging A + C to support us with two pieces of work, namely:

- *Providing a response to WR's proposed Transgender Policy for its competitions (pinnacle events).*
- *Developing a community based approach for application within NZ.*

The rugby landscape is that we need to comply with WR regulations to participate in their competitions but we are free to determine our community response in recognition of our specific legal, societal, and cultural context. It is therefore possible that we may have difference positions in terms of performance and participation.

NZR would therefore be interested in understanding the investment required and timelines achievable for two different approaches:

1. *Support in developing NZR's position and approach on both issues, including undertaking meaningful consultation with the relevant stakeholder groups (Ciswomen, transwomen, etc).*
2. *Support in undertaking the meaningful consultation with the relevant stakeholder groups (Ciswomen, transwomen, etc) only.*

Expectations & Deliverables

In discussion with A&C we also rounded out on their ability to help us formulate a draft policy for final consultation which has been included in the proposal received. It is our expectation that A&C, in consultation with NZR, would identify all the various stakeholder groups that may need/want input into our

approach on this matter. They will lead the consultation and engagement with those groups, work with us to formulate an overarching position and the drafting of a policy.

We see the consultation being reasonably wide ranging – there are many interested parties who have already touched base who want to participate in whatever process we might run. Our biggest challenge will be determining who to include and any parties that we should not include.

Jannah – this obviously outlines the position for NZR working alone to meet our own needs but very happy to discuss the best approach that might support an all of sport approach.

Thanks and talk soon.

s9(2)(a)

From: Jannah Wootten <Jannah.Wootten@sportnz.org.nz>
Sent: Friday, 28 August 2020 10:30 am
To: s9(2)(a) <s9(2)(a)@nznzrugby.co.nz>
Subject: FW: introduction - NZR and Sport NZ - transgender policy approach

Thanks s9(2)(a) That all makes sense.

We have had an internal meeting and the next steps were I'd seek an understanding from you on the brief and scope of works so we could then consider what we would want to see added to ensure it was appropriate from a whole of sector perspective. I'd be seeking input from our integrity, D&I and policy teams on this.

As your brief to A&C was verbal, I don't suppose I'd be able to trouble you for a few paragraphs that outline the background, the scope that you're looking at and what you see as being the deliverables as well as any expectations on consultation and engagement.

I'll then circulate this internally here to see if there is anything else we'd want built in that would require discussion with A&C.

Thanks

Jannah

Jannah Wootten

General Manager, Partnerships and Communication



+64 s9(2)(a)
sportnz.org.nz



From: s9(2)(a) <s9(2)(a)@nznzrugby.co.nz>
Sent: Friday, 28 August 2020 10:05 AM

From: s9(2)(a) <s9(2)(a)@nznzrugby.co.nz>
Sent: Thursday, 27 August 2020 8:26 PM
To: Jennah Wootten <Jennah.Wootten@sportnz.org.nz>
Subject: RE: introduction - NZR and Sport NZ - transgender policy approach

As per previous email – attached is the plan on a page from Allen & Clarke for reference.

From: Jennah Wootten <Jennah.Wootten@sportnz.org.nz>
Sent: Thursday, 27 August 2020 8:20 pm
To: s9(2)(a) <s9(2)(a)@nznzrugby.co.nz>
Cc: s9(2)(a) <s9(2)(a)@nznzrugby.co.nz>
Subject: RE: introduction - NZR and Sport NZ - transgender policy approach

Thanks s9(2)(a) and kia ora s9(2)(a)

We have an internal chat on this tomorrow morning and post that, I'll circle back to confirm who our point person will be and how we think we could best take something forward.

Ngā mihi rārau

Jannah

Jannah Wootten
General Manager, Partnerships and Communication



+64 s9(2)(a)
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From: s9(2)(a) <s9(2)(a)@nznzrugby.co.nz>
Sent: Thursday, 27 August 2020 12:57 PM
To: Jennah Wootten <Jennah.Wootten@sportnz.org.nz>
Cc: s9(2)(a) <s9(2)(a)@nznzrugby.co.nz>
Subject: introduction - NZR and Sport NZ - transgender policy approach

Jannah

As per our discussion on Friday, s9(2)(a) is leading our work on the transgender policy – and s9(2)(a) has now a proposal for an external party to help with a review ..
I will let him share and as per our discussion we certainly felt there were synergies for this to be addressed across the sport sector –

s9(2)(a) is GM- People, Safety and Welfare and part of our Exec team – his mobile is s9(2)(a)
Jannah's mobile s9(2)(a) (GM Partnerships & Comms)

I will leave you both to connect – and look forward to the collaboration

s9(2)(a)
s9(2)(a)
Chief Transformation Officer
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allblacks.com | nzrugby.co.nz | facebook.com/allblacks | twitter.com/allblacks

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s9(2)(a)

From: Julie Morrison
Sent: Tuesday, 1 September 2020 9:46 pm
To: Alice Hume
Subject: RE: Rainbow Community Board paper

Got it. Thanks Alice

Julie Morrison
General Manager, Strategy, Policy & Corporate



+64 [s9\(2\)\(a\)](mailto:s9(2)(a)@sportnz.org.nz)
sportnz.org.nz



From: Alice Hume <Alice.Hume@sportnz.org.nz>
Sent: Tuesday, 1 September 2020 8:58 AM
To: Julie Morrison <Julie.Morrison@sportnz.org.nz>
Subject: RE: Rainbow Community Board paper

We are working with s9(2)(a) on this. I think the confusion has come as s9(2)(a) has drafted as a Board paper (to save time later) but the intention is to use this material to prepare a project brief for consideration as part of business planning and to discuss with SLT.

Ngā mihi,
Alice

Alice Hume
Policy Manager



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sportnz.org.nz



From: Julie Morrison <Julie.x@xnz>
Sent: Tuesday, 1 September 2020 8:36 AM
To: Alice Hume <Alice.Hume@sportnz.org.nz>
Subject: FW: Rainbow Community Board paper

Hi Alice,

See below. I know this was something that was started ages ago but not sure where it is at?

Cheers
Julie

Julie Morrison
General Manager, Strategy, Policy & Corporate



+64 **s9(2)(a)**
sportnz.org.nz





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From: Geoff Barry <Geoff.Barry@sportnz.org.nz>
Sent: Thursday, 27 August 2020 4:54 PM
To: Julie Morrison <Julie.Morrison@sportnz.org.nz>
Subject: FW: Rainbow Community Board paper

Hi. I may have been 'asleep at the wheel' on this one. Is this something that Policy is engaged with? If "yes" can we engage with s9(2)(a) as D&I Manager?

Ta

GEOFF BARRY
GM Community Sport

MOBILE +64 s9(2)(a)



sportnz.org.nz



From: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Sent: Thursday, August 27, 2020 4:11 PM
To: Geoff Barry <Geoff.Barry@sportnz.org.nz>
Subject: Rainbow Community Board paper

Do you know anything about a Rainbow Community Board paper that s9(2)(a) from Policy is writing? I would love a chance to review before it goes to the Board if possible, especially if it has future implications on my work. I don't have any further detail as it came up in an email about a transgender policy and as yet I haven't had a response to my query.

Ngā mihi,
s9(2)(a)

(2)(a)
Diversity and Inclusion Manager

s9(2)(a)

From: Alice Hume
Sent: Friday, 4 September 2020 1:47 pm
To: s9(2)(a)
Subject: RE: For approval - transgender comments for NZR

Thanks.

This looks fine.

I hadn't really thought that the template would be for the NZR work, but for the broader LGBTQI+ work.

Ngā mihi,
Alice

Alice Hume
Policy Manager



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sportnz.org.nz



From: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Sent: Friday, 4 September 2020 1:12 PM
To: Alice Hume <Alice.Hume@sportnz.org.nz>
Subject: For approval - transgender comments for NZR

Hi Alice,

This is to feed into the project scope work for NZR. As discussed I was going to send this through to Jennah to pass to rugby and then work on the template s9(2)(a) gave me. Just as a heads up the template s9(2)(a) gave me does not really fit a scoping of work exercise.

NZR Project Scope comments

Project parameters

Sport NZ assumes that the project parameters is only regarding:

- the inclusion of transwomen in women's rugby; and
- contact forms of rugby.

It would be good to make this clear.

Contact forms of Domestic Rugby

The scope will need to ensure that any policy developed for the New Zealand domestic games conforms with the Human Rights Act 1993 (HRA). There are exclusions under section 49 for sport. However, there would need to be very clear research showing that there was a competitive advantage to exclude individuals over the age of 12 from competition rugby.

Need to consider at what point domestic rugby game is considered 'competitive' as opposed to 'social' or a truly 'non-competitive' game. As you would not be able to exclude under section 49 for 'non competitive/social' contact rugby. Farah Palmer Cup vs interclub matches where is the division? Will this division apply to the need for testosterone levels to be monitored in compliance with the International Olympic Committee's Policy.

Contact forms of International Rugby

World Rugby (WR) may put in place a restriction on transgender women participating and this will restrict an elite pathway for transwomen to compete in WR competitions. However, we have seen that WR will change the nationality eligibility criteria to enable athletes to participate in the Olympics. This may extend to transwomen competing in the Rugby 7s at the Olympics (should the current policy remain in place) but there would be no clear pathway for them to qualify for a team should WR refuse their participation in WR events and if NZR follow suit.

How would this work in practice if WR competitions were to take place in NZ and the WR eligibility could not be enforced (breach of HRA)?

Statistics

We have no idea on the numbers of transwomen who compete at this level or who would like to compete at this level and therefore do not know the true impact on the community. Will there be a survey of local clubs to help with determining numbers?

Research

A critical review of the research provided by WR would need to be undertaken and weighed up against other research. The evidence would need to be clear that there was an advantage for NZR to be able to use section 49 HRA to exclude transwomen from contact forms of Rugby.

Stakeholder engagement

Key groups to engage as part of the development and consultation:



- Representation for Maori,

- Representation for Pacifica peoples.

s9(2)(a) **s9(2)(a)**
Acting Ministerial Services Lead

MOBILE +64 **s9(2)(a)**



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s9(2)(a)

From: s9(2)(a)
Sent: Friday, 18 September 2020 3:43 pm
To: s9(2)(a)
Subject: FW: Investment Partner CE Update: 15 September 2020

Categories: Red Category, Saved to KC

Hi s9(2)(a)

s9(2)(a) from s9(2)(a) keen to be involved as below.

s9(2)(a)

s9(2)(a)

National Partnerships Manager

MOBILE +64 s9(2)(a)



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From: s9(2)(a)
Sent: Friday, 18 September 2020 3:41 PM
To: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Cc: s9(2)(a) >
Subject: FW: Investment Partner CE Update: 15 September 2020

Hi s9(2)(a)

s9(2)(a) sent below on to me for my information and only got the chance to have a read today and would like to put my hand up for the transgender work described below. As a sport we have adopted a transgender policy and it is an area that is becoming increasingly relevant with a number of instances of players choosing to change their gender identification in recent years including young people playing at representative level. s9(2)(g)(i) but we are very keen to continue learning and ensuring we are providing a safe and appropriate approach for all.

Thanks

s9(2)(a)

From: Sport New Zealand <publications@sportnz.org.nz>

Sent: Tuesday, 15 September 2020 3:24 PM

To: s9(2)(a)

Subject: Investment Partner CE Update: 15 September 2020

Extract from Investment Partner CE Update

[View this email in your browser](#)



Investment Partner CE Update

September 2020

Transgender participation in sport

Sport NZ is looking for Chief Executives (or staff within our partner organisations) who would like to engage with us in work to provide a more inclusive environment in the sector for transgender participants. The first phase will be to review a project brief and scope. We would like to have engagement from a wide number of sports (contact and non-contact) to ensure we have captured the many nuances of different sports and activities.

In line with the Human Rights Act 1993 (section 49) our work will primarily focus on competitive sport (at all levels) for individuals over the age of 12. However we welcome feedback and comment in the first phase for areas outside of this.

It is expected that the first phase (project brief) will take no more than one hour of your time. Please let your Partnership Manager know this week if you would like to be involved in this important work.

s9(2)(a)

From: Jennah Wootten
Sent: Monday, 7 September 2020 9:39 am
To: s9(2)(a)
Subject: RE: Transgender comments for NZR

Hi s9(2)(a)

Thanks for your email. Was lovely to see you on Friday.

We may have had a crossed wires.

What I think we need be developing is a brief that uses the NZR content as the base. We need to 'track in' what we believe needs to be added to the NZR that would see the work be something that would value the wider system. Once we have this, first step would be to circle back to NZR to check they were happy with what we were proposing. Then we'd test it with a few wider partners and then from there, we'd circle back with Allen & Clarke.

Does that make sense?

Thanks

JW

From: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Sent: Friday, 4 September 2020 1:51 PM
To: Jennah Wootten <Jennah.Wootten@sportnz.org.nz>
Subject: Transgender comments for NZR

Hi Jennah,

Alice has approved the below for NZR to use should they wish to form their A&C work. I still working on the next part gaps for other sport.

Thanks

s9(2)(a)

NZR Project Scope comments

Project parameters

Sport NZ assumes that the project parameters is only regarding:

- the inclusion of transwomen in women's rugby; and
- contact forms of rugby.

It would be good to make this clear.

Contact forms of Domestic Rugby

The scope will need to ensure that any policy developed for the New Zealand domestic games conforms with the Human Rights Act 1993 (HRA). There are exclusions under section 49 for sport. However, there would need to be very clear research showing that there was a competitive advantage to exclude individuals over the age of 12 from competition rugby.

Need to consider at what point domestic rugby game is considered 'competitive' as opposed to 'social' or a truly 'non-competitive' game. As you would not be able to exclude under section 49 for 'non competitive/social' contact rugby. Farah Palmer Cup vs interclub matches where is the division? Will this division apply to the need for testosterone levels to be monitored in compliance with the International Olympic Committee's Policy.

Contact forms of International Rugby

World Rugby (WR) may put in place a restriction on transgender women participating and this will restrict an elite pathway for transwomen to compete in WR competitions. However, we have seen that WR will change the nationality eligibility criteria to enable athletes to participate in the Olympics. This may extend to transwomen competing in the Rugby 7s at the Olympics (should the current policy remain in place) but there would be no clear pathway for them to qualify for a team should WR refuse their participation in WR events and if NZR follow suit.

How would this work in practice if WR competitions were to take place in NZ and the WR eligibility could not be enforced (breach of HRA)?

Statistics

We have no idea on the numbers of transwomen who compete at this level or who would like to compete at this level and therefore do not know the true impact on the community. Will there be a survey of local clubs to help with determining numbers?

Research

A critical review of the research provided by WR would need to be undertaken and weighed up against other research. The evidence would need to be clear that there was an advantage for NZR to be able to use section 49 HRA to exclude transwomen from contact forms of Rugby.

Stakeholder engagement

Key groups to engage as part of the development and consultation:

- [Redacted]

- Representation for Maori,
- Representation for Pacifika peoples.

thanks

[Redacted] s9(2)(a) s9(2)(a)
Acting Ministerial Services Lead

MOBILE +64 [Redacted] s9(2)(a)



s9(2)(a)

From: Jennah Wootten
Sent: Wednesday, 9 September 2020 5:30 am
To: Alice Hume; s9(2)(a)
Subject: RE: FOR APPROVAL - NZR and Sport NZ transgender work

Categories: Saved to KC

Thanks for the fantastic thinking that has gone into this and the NZR response from s9(2)(a) and yourself. It is much appreciated.

I have sent a note back to NZR this morning and have cc'd s9(2)(a) into that. We'll see what they say and we can go from there.

Thanks again, speak soon

JW

Jennah Wootten
General Manager, Partnerships and Communication



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From: Alice Hume <Alice.Hume@sportnz.org.nz>
Sent: Monday, 7 September 2020 8:14 PM
To: Jennah Wootten <Jennah.Wootten@sportnz.org.nz>
Subject: FW: FOR APPROVAL - NZR and Sport NZ transgender work

Kia ora Jennah,

See below for s9(2)(a) proposed scope for the transgender work related to NZR and how it could be used as a template for dealing with similar requests.

s9(2)(a) is now working up a project brief for the broader piece of work around LGBTQI+ related issues.

Ngā mihi,
Alice

Alice Hume



+64 **s9(2)(a)**
sportnz.org.nz



Sport NZ - transgender work

A critical review of the WR research sighted as providing a 20-30% increased risk of injury and how this fits with other research (including the decisions that formed the IOC transgender guidelines). Also review if the research from WR:

- would extend to other contact sports providing an increased **risk of injury**, for example, contact sports such as Rugby League, combat sports, or non contact sports such as cricket (speed of ball potential to inflict injury?). FtM playing in men's teams and MtF playing in women's teams.
- shows there is a **competitive advantage** for some sports for example, athletics, weightlifting, rock-climbing.

If any WR proposed ban has any impact on other contact or non-contact sports at elite level in NZ and how this relates to the Human Rights Act 1993 and the Crown Law opinion of 2006.

Competitive vs social / non-competitive sport –with reference to exclusions in section 49 of the HRA 1993

Where the line between social and competitive sport is drawn. Is it determined by:

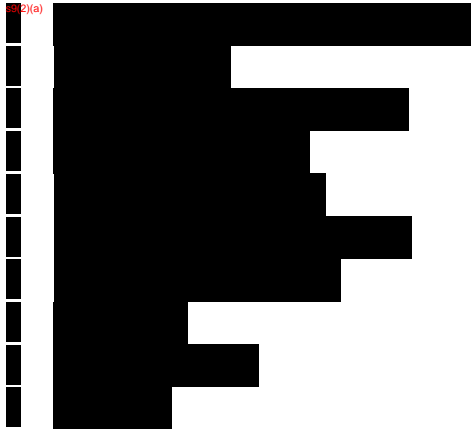
- value of the prize or prize money.
- Level of competition (would need to be determined by each NSO).

Elite pathway

Consideration of the elite pathways available for transgender individuals internationally should NZ NSOs exclude them from domestic/national competitive competitions.

Stakeholder engagement

We would want to include in our engagement any organization not included in the NZR consultation as part of the development. In addition, we should look at involving other sports (contact and non contact) NGOs, and government:



- Representation for Maori,
- Representation for Pacifica peoples,
- **s9(2)(a)**

Outcomes

Outcomes would be:

- a set of guiding principles for the inclusion on transgender MtF and FtM in sport.
- clear expectations about what should be included in a transgender policy for the sport sector. That could be used by each NSO to develop their own transgender policy in consultation with the rainbow community.
- A clear set of expectations on who and how an NSO should consult with relevant stakeholders and the rainbow community on any proposed policy that will affect participation (negatively) in competitive sport.

thanks

s9(2)(a) s9(2)(a)
Acting Ministerial Services Lead

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s9(2)(a)

From: Jennah Wootten
Sent: Wednesday, 9 September 2020 5:28 am
To: s9(2)(a)
Cc: s9(2)(a)
Subject: RE: introduction - NZR and Sport NZ - transgender policy approach

Categories: Saved to KC

Hi s9(2)(a)

I hope this note finds you well?

Thanks for your patience while we've worked this discussion through internally. I'm circling back with two parts. Firstly, feedback on the NZR scope and overview you provided but also with some thoughts on how this could become a brief that speaks to the wider sector.

In regards to the NZR specific scope and approach, we'd provide the following thoughts:

Project parameters

Sport NZ assumes that the project parameters is only regarding: the inclusion of transwomen in women's rugby; and contact forms of rugby. It would be good to make this clear.

Contact forms of Domestic Rugby

The scope will need to ensure that any policy developed for the New Zealand domestic games conforms with the Human Rights Act 1993 (HRA). There are exclusions under section 49 for sport. However, there would need to be very clear research showing that there was a competitive advantage to exclude individuals over the age of 12 from competition rugby. The work will need to consider at what point domestic rugby game is considered 'competitive' as opposed to 'social' or a truly 'non-competitive' game. As you would not be able to exclude under section 49 for 'non competitive/social' contact rugby. Farah Palmer Cup vs interclub matches where is the division? Will this division apply to the need for testosterone levels to be monitored in compliance with the International Olympic Committee's Policy.

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Statistics

We have no idea on the numbers of transwomen who compete at this level or who would like to compete at this level and therefore do not know the true impact on the community. Will there be a survey of local clubs to help with determining numbers?

Research

A critical review of the research provided by WR would need to be undertaken and weighed up against other research. The evidence would need to be clear that there was an advantage for NZR to be able to use section 49 HRA to exclude transwomen from contact forms of Rugby.

Stakeholder engagement

Key groups we'd expect would be engaged as part of the development and consultation are

s9(2)(a)

e'd also want to ensure there was engagement with Maori and Pacifica peoples.

+++++

In regards to our thoughts on how this NZR brief could be extended to ensure value for the wider sector:

++++++

Sport NZ - transgender work

A critical review of the WR research sighted as providing a 20-30% increased risk of injury and how this fits with other research (including the decisions that formed the IOC transgender guidelines). Also review if the research from WR:

- would extend to other contact sports providing an increased risk of injury, for example, contact sports such as Rugby League, combat sports, or non contact sports such as cricket (speed of ball potential to inflict injury?). FtM playing in men's teams and MtF playing in women's teams.
- shows there is a competitive advantage for some sports for example, athletics, weightlifting, rock-climbing.

If any WR proposed ban has any impact on other contact or non-contact sports at elite level in NZ and how this relates to the Human Rights Act 1993 and the Crown Law opinion of 2006.

Competitive vs social / non-competitive sport –with reference to exclusions in section 49 of the HRA 1993

Where the line between social and competitive sport is drawn. Is it determined by:

- value of the prize or prize money.
- Level of competition (would need to be determined by each NSO).

Elite pathway

Consideration of the elite pathways available for transgender individuals internationally should NZ NSOs exclude them from domestic/national competitive competitions.

Stakeholder engagement

We have noted a number of organisations above that we'd like to see engaged (within the NZR feedback section) but to ensure it was truly useful for the wider sector we'd want to see engagement with wider combat sports and wrestling.

Outcomes

If we were to focus in on the desired outcomes from a piece of work for the sector, these would be:

- whatever specific outputs you need to attend to the WR requirement and deadlines.
- a set of guiding principles for the inclusion on transgender MtF and FtM in sport for the sector
- clear expectations about what should be included in a transgender policy for the sport sector. That could be used by each organization in the sector to develop their own transgender policy in consultation with the rainbow community.
- A clear set of expectations on who and how an organisation should consult with relevant stakeholders and the rainbow community on any proposed policy that will affect participation (negatively) in competitive sport.

In terms of next steps, it would be great to:

- Get your feedback on the above
- Understand whether you'd like to facilitate receiving a reversed brief from Allen & Clarke (and an associated quote) based on the above expanded scope (once it includes your thoughts and feedback) or whether you'd rather Sport NZ took over the facilitation role with them. We are relaxed either way.
- Once we had the reverse back from Allen & Clarke we'd look to test it with a couple of wider CEO's, potentially the other 10 that are within the strengthen and adapt planning pilot we have running which includes NZR.

Thanks s9(2)(a) We look forward to receiving your feedback and to moving forward from there.

Jannah

Jannah Wootten

General Manager, Partnerships and Communication

s9(2)(a)

From: Jennah Wootten
Sent: Monday, 31 August 2020 2:53 pm
To: s9(2)(a)
Subject: RE: introduction - NZR and Sport NZ - transgender policy approach

That would be superb s9(2)(a) thank you. I'll then take a look once you've got everyone's views incorporated.

Jennah Wootten
General Manager, Partnerships and Communication



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sportnz.org.nz



From: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Sent: Monday, 31 August 2020 10:23 AM
To: Jennah Wootten <Jennah.Wootten@sportnz.org.nz>
Subject: RE: introduction - NZR and Sport NZ - transgender policy approach

Hi Jennah

I am happy to compile the information for you if you like.

I have spoken with Alice about this this morning.

Thanks

s9(2)(a)

From: Jennah Wootten <Jennah.Wootten@sportnz.org.nz>
Sent: Monday, 31 August 2020 10:05 am
To: s9(2)(a) <s9(2)(a)@sportnz.org.nz>; s9(2)(a) <s9(2)(a)@sportnz.org.nz>; s9(2)(a) <s9(2)(a)@sportnz.org.nz>; s9(2)(a) <s9(2)(a)@sportnz.org.nz>; s9(2)(a) <s9(2)(a)@sportnz.org.nz>; s9(2)(a) <s9(2)(a)@sportnz.org.nz>; s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Cc: Alice Hume <Alice.Humx@xxxxxxx.xzg.nz>; Sheryl Nichols <Sherxx.xxxxxxx@xxxxxxx.xxx.nz>
Subject: FW: introduction - NZR and Sport NZ - transgender policy approach

Morena

Further to our meeting on Friday morning, please find below and attached my correspondence with NZR.

As agreed, please can you:

- Review the below and attached and revert with any feedback that you'd want to see included in an updated brief to Allen&Clarke to ensure this was a piece of work with relevance and value to the wider sector
- Confirm you've briefed your manager / GM on this piece of work and your involvement

If you could please come back to me with this feedback by **5pm on Wednesday**, that would be great. I'll then compile that into a revised brief and work with NZR to get a quote for the revised brief.

Thank you

Jannah

Jannah Wootten

General Manager, Partnerships and Communication



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sportnz.org.nz



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s9(2)(a)

From: Jennah Wootten
Sent: Wednesday, 9 September 2020 5:33 am
To: s9(2)(a) s9(2)(a) s9(2)(a) s9(2)(a) s9(2)(a) s9(2)(a)
s9(2)(a) Sheryl Nichols; s9(2)(a)
Cc: s9(2)(a) Alice Hume
Subject: FW: FOR APPROVAL - NZR and Sport NZ transgender work
Categories: Saved to KC

Hi all

Further to our earlier meetings, just keeping you up to date with the progress being made as a result of s9(2)(a) ongoing efforts on this topic.

Please take a read and revert if you have any questions or concerns with the direction of travel.

s9(2)(a) – there will obviously need to be some engagement with select NSO's so just putting you on notice re this.

Thanks

Jannah

Jannah Wootten

General Manager, Partnerships and Communication



+64 s9(2)(a)
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s9(2)(a)

From: s9(2)(a) >
Sent: Wednesday, 30 September 2020 10:56 am
To: s9(2)(a)
Subject: FW: Sport NZ work on Supporting Transgender individuals in the Sector - FOR COMMENT
Attachments: Development of a NZ Rugby Policy and Sport Sector Principles for transgender participation - Draft Project Plan - 28 Sep 20.pdf
Categories: Saved to KC

Hello there
Just looking for confirmation that this policy will be available for use for other sports?
Otherwise I have nothing to add, thanks.

Regards
s9(2)(a)

From: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Sent: Tuesday, 29 September 2020 11:14 AM
To: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Subject: Sport NZ work on Supporting Transgender individuals in the Sector - FOR COMMENT

Kia ora

Thank you for offering your time to help us further support the inclusion of transgender individuals in the Sport, Active Recreation, and Play Sector.

Background

The key guiding principle we are using to support this important work is taken from our Sport Integrity Framework – Diversity and Inclusion. This principle is:

“Every New Zealander has the right to participate in play, active recreation and sport within a welcoming and inclusive environment, and to be treated with respect, empathy and positive regard irrespective of age, ability, ethnicity, gender, national origin, race, religion, sexual orientation, political beliefs or socio-economic status.”

Please keep in mind the key guiding principle as you look through the draft project plan.

You will note when reading the draft project plan that we are also developing a policy for the inclusion of transgender individuals in Rugby Union lead by NZ Rugby. Sport NZ has taken the opportunity to leverage off this work to help the sector develop principles to support transgender individual’s participation. We would therefore appreciate your comments on the Sport NZ Led principles based work.

First Step

Please take a look through the draft project plan attached and provide any comments to me by return email. Once we have considered all of the comments we will feed this back to Allen and Clarke and finalise the scope before moving to the next step.

Deadline

It would be great if you were able to provide your comments by **noon on Monday 5 October 2020**.

Next steps

It would also be appreciated if you could let me know if you would like to continue with this work and participate in the Allen and Clarke consultation process.

Once again thank you for your time.

Thank you

s9(2)(a) **s9(2)(a)**
Acting Ministerial Services Lead

MOBILE +64 **s9(2)(a)**



sportnz.org.nz



Sport New Zealand is the crown entity responsible for Aotearoa New Zealand's play, active recreation and sport system.

For more details, visit www.sportnz.org.nz

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Your assistance is appreciated.

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s9(2)(a)

From: Alice Hume
Sent: Thursday, 10 September 2020 2:16 pm
To: s9(2)(a)
Subject: RE: FOR APPROVAL - due today FOR CEO UPDATE: Transgender policy

That's fine, thanks

Ngā mihi,
Alice

Alice Hume
Policy Manager



+64 s9(2)(a)
sportnz.org.nz



From: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Sent: Thursday, 10 September 2020 1:35 PM
To: Alice Hume <Alice.Hume@sportnz.org.nz>
Subject: FOR APPROVAL - due today FOR CEO UPDATE: Transgender policy

This is due today for the CEO update sorry as I realise you are busy

Diversity and Inclusion - Transgender participation in sport

Sport NZ is looking for CEOs who would like to engage with us in the development of work to provide a more inclusive environment in the sector for transgender participants. The first phase will be to review a project brief that sets out the main deliverables and how we will and who we will engage with across the sector and with the transgender community. We are keen to have engagement from a wide number of sports (contact and non-contact) to ensure we take into account the many nuances of your sports.

In line with the Human Rights Act 1993 (section 49) our work will be primarily focused on competitive sport (at all levels) for individuals over the age of 12. However, we will welcome feedback and comment in the first phase for areas outside this.

It is expected that the first phase (project brief) will take no more than one hour of your time. Please let us know at ccccc@sportnz.org.nz if you would like to be involved in this important work.

From: Jennah Wootten <Jennah.Wootten@sportnz.org.nz>
Sent: Wednesday, 9 September 2020 10:15 am
To: s9(2)(a) <s9(2)(a)sportnz.org.nz>
Cc: s9(2)(a) <s9(2)(a)sportnz.org.nz>; s9(2)(a) <s9(2)(a)sportnz.org.nz>
Subject: RE: Transgender policy

Yes, s9(2)(a) will give you a first cut. In short though, a partner reached asked to seek our help in this space. We've decided that given there is likely to be a broad sector need that we'd facilitate on behalf. Enter this process.

Jennah Wootten
General Manager, Partnerships and Communication



+64 s9(2)(a)
sportnz.org.nz



From: s9(2)(a) <s9(2)(a)sportnz.org.nz>
Sent: Wednesday, 9 September 2020 9:25 AM
To: Jennah Wootten <Jennah.Wootten@sportnz.org.nz>
Cc: s9(2)(a) <s9(2)(a)sportnz.org.nz>
Subject: RE: Transgender policy

Thanks Jennah.

I have had a quick chat to s9(2)(a) about including a note on this in the CE Update. Are there some key messages I can use to frame up some draft comms – is s9(2)(a) the best person for this as a starter?

Cheers, s9(2)(a)

From: Jennah Wootten <Jennah.Wootten@sportnz.org.nz>
Sent: Wednesday, 9 September 2020 5:48 AM
To: s9(2)(a) <s9(2)(a)sportnz.org.nz>

Cc: s9(2)(a) <s9(2)(a)@sportnz.org.nz>

Subject: FW: Transgender policy

Hi s9(2)(a)

Per my earlier note and also this trail, can you chat with s9(2)(a) and see what s9(2)(a) reckons re us including a note relating to this work in the follow up CEO comms. We could simply ask the CEO's to hand raise if they'd like to receive a copy of the reverse brief and have an opportunity to comment ahead of it being finalised. Then it means everyone is being invited into the tent rather than us just selecting? We'd then just need to make sure we were proactively reaching out to the ones that s9(2)(a) has rightly pointed out that we'd need to see included in the engagement process (detailed throughout my earlier email back to s9(2)(a) at NZR).

s9(2)(a) - I wonder if we should do something similar re body typing, per s9(2)(a) comments? I'd need someone to hold the pen and lead on this though. Would that be you given he's one of your partners?

Cheers

JW

Jennah Wootten

General Manager, Partnerships and Communication



+64 s9(2)(a)
sportnz.org.nz



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From: Jennah Wootten

Sent: Wednesday, 9 September 2020 5:46 AM

To: s9(2)(a) <s9(2)(a)@sportnz.org.nz>

Cc: s9(2)(a) <s9(2)(a)@sportnz.org.nz>; s9(2)(a) <s9(2)(a)@sportnz.org.nz>; s9(2)(a) <s9(2)(a)@sportnz.org.nz>

Subject: FW: Transgender policy

Hi s9(2)(a)

Thanks so much for reaching out.

I am well thanks. Hugely enjoying being able to venture out a big further than s9(2)(a) now we're in level 2.5.

How are you doing? I bet that holiday is feeling like a distant memory.

Re this topic, we are not far off having a reverse brief back from Allen & Clarke who are going to do this work for us (on behalf of the sector). We're going to need to test this reverse brief with the sector to make sure everyone believes the outputs will achieve what you need and be useful. Your email to me has officially got you on the list of CEO's we'll circle back with for that testing process. Hopefully you're willing to help us with this given your interest? If so, we'll be back in touch soonest.

s9(2)(a)

From: s9(2)(a)
Sent: Friday, 11 September 2020 9:28 am
To: s9(2)(a)
Subject: RE: FOR CEO UPDATE: Transgender work

Thanks so much s9(2)(a)

From: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Sent: Thursday, 10 September 2020 2:18 PM
To: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Subject: FOR CEO UPDATE: Transgender work

Here you go

Diversity and Inclusion - Transgender participation in sport

Sport NZ is looking for CEOs who would like to engage with us in the development of work to provide a more inclusive environment in the sector for transgender participants. The first phase will be to review a project brief that sets out the main deliverables and how we will and who we will engage with across the sector and with the transgender community. We are keen to have engagement from a wide number of sports (contact and non-contact) to ensure we take into account the many nuances of your sports.

In line with the Human Rights Act 1993 (section 49) our work will be primarily focused on competitive sport (at all levels) for individuals over the age of 12. However, we will welcome feedback and comment in the first phase for areas outside this.

It is expected that the first phase (project brief) will take no more than one hour of your time. Please let us know at cccccx@sportnz.org.nz if you would like to be involved in this important work.

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s9(2)(a)

From: s9(2)(a)
Sent: Friday, 11 September 2020 9:40 am
To: s9(2)(a);
s9(2)(a)@parliament.govt.nz
Subject: Sport NZ Fortnightly Update to the Minister - 11 September 2020
Attachments: Sport NZ Fortnightly Update to the Minister - 11 September 2020.docx; Sport NZ Fortnightly Update to the Minister - 11 September 2020.pdf

Hi all

Attached is the update.

Enjoy your weekend.

s9(2)(a)

*Extract from the Fortnightly Update to the Minister that relates to
Transgender participation*

Diversity and Inclusion

New Zealand Rugby's response to World Rugby transgender developments

19. On 20 August 2020, Sport NZ provided you with an update regarding World Rugby's proposal to ban male to female transgender athletes competing in World Rugby's international women's events. This ban would be for all contact forms of Rugby Union.
20. NZ Rugby is considering World Rugby's proposal for international competition and is also considering a policy that is appropriate for New Zealand. Sport NZ has been in contact with NZ Rugby and has been invited to engage in the consultation process.

Caster Semenya's appeals against the decision of the Court of Arbitration of Sport (CAS) dismissed

21. The Swiss Federal Supreme Court (SFSC) has dismissed the appeals submitted by Caster Semenya, a female Olympic middle-distance runner with hyperandrogenism (exceptionally high testosterone levels). This decision was delivered on 25 August 2020 and recently announced.
22. The SFSC determined that CAS had the right to uphold the conditions of participation issued for female athletes with the genetic variant "46 XY DSD" to take medication to reduce testosterone levels to guarantee fair competition over distances of 400m up to 1 mile.
23. Ms Semenya had originally appealed against the conditions of participation alongside the South African Athletics Association in June 2018. Both claims were dismissed by CAS in 2019 where it determined that the differentiation of implicated female athletes was necessary, reasonable and proportionate in order to preserve the integrity of female athletics as well as guarantee fair competition.

s9(2)(a)

From: Paul Houliston s9(2)(a) allenandclarke.com.au>
Sent: Monday, 14 September 2020 1:54 pm
To: s9(2)(a) s9(2)(a) s9(2)(a) s9(2)(a) s9(2)(a) s9(2)(a)
Subject: RE: SportNZ/NZR/A&C Transgender Policy Approach
Categories: Saved to KC

Hi s9(2)(a)

Just a short note on suggested items for the agenda this afternoon from our end:

A+C agenda suggestions:

- discuss the scope of the work (seek clarification on key approach + outcomes)
- discuss how the project outputs will be used and who the main audience for the work are
- discuss stakeholders to be included in the work
- confirm expectations around stakeholder engagement, and consultation
- confirm the number and range of current documents/evidence available to *Allen + Clarke*
- agree communication methods and frequency between NZ Rugby, Sport NZ and the *Allen + Clarke* project team
- confirm the content and frequency of project updates (e.g. progress, key activities, issues, risks and suggested solutions)
- discuss any risks and suggested mitigation strategies
- discuss and agree approach to any ethical requirements
- confirm proposed project methodology and timeframes (recap on deliverables including timeframe and approval mechanisms)
- any other issues
- next steps

Regards,

Paul



Paul Houliston
Managing Partner (Australia)
Ph. + s9(2)(a)
s9(2)(a) [allenandclarke.com.au](mailto:s9(2)(a)@allenandclarke.com.au)
Suite 203, 546 Collins Street, Melbourne VIC 3000
www.allenandclarke.com.au

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s9(2)(a)

From: Jennah Wootten
Sent: Tuesday, 15 September 2020 9:35 am
To: s9(2)(a) s9(2)(a)
Subject: RE: Transgender Project Brief and CEs

Newsletter is going out today s9(2)(a) so nothing yet.

I have sent you a calendar invite to reconnect next Monday. Unfortunately this week is chocca for me 😞

Will look forward to it.

Thanks
JW

Jennah Wootten
General Manager, Partnerships and Communication



+64 s9(2)(a)
sportnz.org.nz



From: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Sent: Tuesday, 15 September 2020 9:27 AM
To: Jennah Wootten <Jennah.Wootten@sportnz.org.nz>; s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Subject: Transgender Project Brief and CEs

Hi Jennah and s9(2)(a)

Have we heard back from any CEs regarding the Transgender Project brief? A+C are looking to develop a full scope of the work (by Friday) and the costings for it and will need an indication of how many people would be likely to participate in the consultation process.

If you could let me know that would be great.

Also Jennah just when you have time it would be good to provide you with an update on the meeting yesterday and last week. 😊

Thanks
s9(2)(a) s9(2)(a)
Acting Ministerial Services Lead

s9(2)(a)

From: Jennah Wootten
Sent: Wednesday, 16 September 2020 3:40 pm
To: Partnerships
Cc: s9(2)(a) s9(2)(a)
Subject: Transgender participation in sport.

Categories: Red Category, Saved to KC

Afternoon PM's

Further to the segment on transgender participation in sport that was within the Investment Partner CEO Update that went out yesterday.... I have just had it pointed that that we haven't let you all know where you pass on interested partners details to. My bad, sorry!

If you have anyone hand raising and keen to be involved in this work, you need to point them to s9(2)(a) please.

So far we have s9(2)(a) and s9(2)(a) has also flagged s9(2)(a) From s9(2)(a) is keen too. If you have names come forward, please fire these direct to s9(2)(a) and we'll ensure they have an opportunity to input.

Thanks

Jannah

Jannah Wootten

General Manager, Partnerships and Communication



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sportnz.org.nz



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s9(2)(a)

From: Paul Houliston <s9(2)(a)@allenandclarke.com.au>
Sent: Thursday, 17 September 2020 2:08 pm
To: s9(2)(a) s9(2)(a)
Subject: RE: Sport NZ - Sports, Agencies and NGOs list

Categories: Saved to KC

Thanks s9(2)(a)

Just picking up on your comment on *reviewing the Sport NZ project scope*

For the purposes of clarity as we develop the Project Plan - can I just check we have the commissioning approach correct at our end.

We have currently describe the work as:

Allen + Clarke has been engaged by Rugby NZ to develop a transgender player policy for the community game. As part of the work, Allen + Clarke will also engage with other sporting codes to develop a model transgender player policy for use across these sports. The model policy will be accompanied by a supporting guideline on how to best to develop a code specific policy. This work is being supported by Sport NZ and will include:

- *a high-level evidence review*
- *engagement with NZ Rugby and other sporting codes*
- *summary of stakeholders views on the issue*
- *development of a draft model transgender player policy and supporting guideline*
- *consultation with NZ Rugby and other sporting codes on the draft policy and supporting guideline*
- *finalisation of the model transgender player policy and supporting guideline*
- *development and finalisation of a transgender player policy for NZ Rugby*

Is this in line with what we discussed and your thinking?

Regards,

Paul



Paul Houliston
Managing Partner (Australia)
Ph. + s9(2)(a)
s9(2)(a) [allenandclarke.com.au](mailto:s9(2)(a)@allenandclarke.com.au)
Suite 203, 546 Collins Street, Melbourne VIC 3000
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s9(2)(a)

From: s9(2)(a)
Sent: Monday, 21 September 2020 8:34 am
To: s9(2)(a)
Subject: RE: FOR COMMENT Project Brief Template - rainbow community

Ok, thanks s9(2)(a)

This might be interesting once it launches tomorrow <https://vicsport.com.au/events/view/1336>

Ngā mihi,
s9(2)(a)

(2)(a)

Diversity and Inclusion Manager



+64 s9(2)(a)
sportnz.org.nz



From: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Sent: Monday, 21 September 2020 8:16 am
To: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Subject: RE: FOR COMMENT Project Brief Template - rainbow community

I don't think there is any deadline but it would be good if you can by the end of the week

From: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Sent: Monday, 21 September 2020 8:12 am
To: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Subject: RE: FOR COMMENT Project Brief Template - rainbow community

Thanks s9(2)(a) When do you need feedback by?

Ngā mihi,
s9(2)(a)

(2)(a)

Diversity and Inclusion Manager

From: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Sent: Monday, 21 September 2020 8:09 am

To: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Subject: RE: FOR COMMENT Project Brief Template - rainbow community

Here you go.

Sorry someone sent me comments in a attachment in a email and I spent about 20 minutes trying to get it back into KC so I could send it to you.

<http://kc.sportnzgroup.org.nz/site/projects/Active/Business%20Planning%20Project/WBI070%20Transgender%20work.docx?Web=1>

thanks

From: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Sent: Monday, 21 September 2020 8:07 am
To: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Subject: RE: FOR COMMENT Project Brief Template - rainbow community

Thanks s9(2)(a) I cant see a link or attachment?

Ngā mihi,
s9(2)(a)

(2)(a)
Diversity and Inclusion Manager



+64 s9(2)(a)
sportnz.org.nz



From: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Sent: Friday, 18 September 2020 5:27 pm
To: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Cc: Alice Hume <Alice.Hume@sportnz.org.nz>; s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Subject: FOR COMMENT Project Brief Template - rainbow community

Hi s9(2)(a)

Here is a draft for your comment.

Thanks
s9(2)(a)

INITIATIVE WORK BRIEF 2020/21

General Information

Initiative name: WBI070 Scope of work for LGBTQI+ (Rainbow Community) and the sport, active recreation and play sector.

Initiative Description – *Does the summary below still accurately represent the initiative?*

This is a scoping exercise to determine areas of work which could be considered to reduce the barriers for participation of Rainbow Community in the sport, active recreation, and play sector (this includes as a participant, governance and workforce roles in the sector). The work will then be used to define areas where Sport NZ can channel its resources into to make the most impact for the Rainbow Community in the sector.

There is very limited New Zealand research on the Rainbow Community. However, research undertaken to date internationally and in New Zealand shows there is a higher rate of mental health issues for the Rainbow Community due to exclusion from spaces and places, and activities that facilitate social connectiveness. The Community also has the highest suicide rate of the NZ population. The sport, active recreation, and play sector presents opportunities and challenges for the Rainbow Community. Many have mixed experiences of support for wider services (health, education, access to facilities) including school and club sport and active recreation facilities (pools, gyms). The reasons are stated as inadequate staff training, mainstream services are based on the premise that everyone is heterosexual and discrimination (direct and indirect).

A subgroup of the rainbow community are transgender individuals. Work is currently under way to support NZ Rugby on domestic decisions and its policy regarding the participation of transgender individuals in Rugby Union. Sport NZ is also developing a set of principles for the sector to consider when drafting inclusive policies for transgender people participating in competitive sport section 49 of the Human Rights Act.

Outputs – *what does the work involve? What will you do and how will you do it?*

Review of research - To address the lack of consolidated information for the sector.

The first step would be to undertake a review of and consolidate into one document the research that relates specifically to the Rainbow Community and the Sport Sector. The research reviewed should be primarily focussed on NZ research to ensure it is most relevant to the NZ culture. However, for areas where there may not be existing NZ research, international research will also be taken into account.

Note: There are differing views between European and Maori concepts of gender and the rainbow community these will be considered as part of the work below.

The list below is not considered exhaustive. However, the initial areas for research review would be:

- Access to facilities (sport and active recreation),
- Impact of gender assigned uniforms on participation,
- Participation levels (within and by sub-community, age, ethnicity, etc),
- Participation in clubs only for rainbow community members;
- Representation within sector,
- Level of consultation between the Rainbow Community and the sector,
- If there are different barriers between Community and High Performance Sport,
- Stocktake of current guidance (NGOs, Ministry of Education, Ministry of Health, etc).

Some information may need to be gathered directly from the Sport Sector if there is no current research available, for example:

- Experiences and preparedness of NSOs (inclusive policies, staff training, dedicated staff, non-binary forms),

Effect/Impact – *What will this initiative achieve or impact?*

The initiatives key outcome is a project scope to determine areas where Sport NZ can best direct efforts to provide a more inclusive environment for the Rainbow Community and better support the sector.

Te Tiriti o Waitangi - *How does the initiative honour the principles of Partnership, Protection and Participation?*

The initiative will consider Maori concepts of gender and other aspects of the rainbow community. Initially this will be through a review of existing research but once there is a decision on areas where Sport NZ could direct its efforts this would in consultation with Maori.

Leverage - *What and how will this initiative leverage other Sport NZ work?*

This work will leverage our focus on creating create an equitable, inclusive and accessible system and links closely to the current Diversity and Inclusion work programme.

Although it is not clear and may not be until after the 2023 census, there are increasing numbers of individuals identifying themselves as part of the Rainbow community.

The Rainbow Community is a subset of every demographic in New Zealand. There is an opportunity to therefore leverage work on increasing the participation of Rangitane and Tamariki, Women and Girls in sport and active recreation, Maori participation and sport integrity (diversity and inclusion).

The Healthy Active Learning schools are incorporating rainbow inclusive practices at the request of Sport NZ. This is one area where have been able to incorporate inclusive practices to direct effect.

Success – *What will success look like in 4 years or when completed?*

When completed there is a clear set of areas for Sport NZ to consider directing efforts for a more inclusive environment.

Evidence – *What evidence will show that the initiative has been a success?*

A clear project scope.

Deliverables – Activities/Milestones

10. Provide a high-level outline of the key milestones and timeframes for when the initiative will be implemented.

Please ensure that you are as accurate as possible in this section as this is critical for sequencing work and ensuring adequate resourcing across the organisation over the next year. When will you realistically be ready to go? Resourcing for this initiative should be reflected in your FTE allocation for this work brief.

- i. Year 1: Deliverables for 90-day reporting

	Q2 (Oct-Dec 2020)	Q3 (Jan-Mar 2021)	Q4 (Apr-June 2021)	Q1 (July-Sept 2021)
Research undertaken		Project scope completed		

- ii. Major deliverables for each of the three following years (where applicable):

	Year 2 (July 2021 – June 2022)	Year 3 (July 2022 – June 2023)	Year 4 (July 2023 – June 2024)
Project Scope completed	N/A		N/A

Cross-organisational impact

11. Briefly describe the input required from other Sport NZ teams and approx. # FTE days per quarter involved in the table below.

Please ensure that you identify all the support you will need from other teams, and the quarters when you require this. If you do not, you may not be able to access the resources you require when you need them to deliver your initiative. Additional discussions will take place to understand and negotiate requirements for these teams which service all of the organisation.

Describe the help you need from other teams	Q1	Q2	Q3	Q4

Policy	Undertake the research and draw together the scope.				
Diversity and Inclusion	Provide input in to the research and the project scope				
Intelligence	Look at how we can collect and use information and in line with the new standard for the rainbow community for Census 2023. May have access to some research.				
Rautaki Māori	Consult with on the project scope and may be able to provide help in contact iwi members for the Maori view on rainbow community issues.				
Partnerships	Help with reaching out to collect information from NSOs and partners on policies they have in place.				
Marcomms	None				
IT	None				

12. Has the proposed work, its timing and the availability of resources been discussed and agreed with the relevant teams?

No

Stakeholder engagement

13. What other organisations will you be working with to do this work?

Rainbow Youth, Agender, Rainbow Aotearoa insideOUT

14. Describe the engagement / consultation you have had with these organisations:

15. Describe the level of support from these organisations for this work:

16. Please provide links to any additional business cases, SLT/Board papers and project plans that are relevant for this initiative:

You have now completed this initiative work brief.



s9(2)(a)

From: s9(2)(a)
Sent: Friday, 25 September 2020 12:20 pm
To: s9(2)(a) s9(2)(a)
Subject: RE: Sport NZ Integrity Framework

Hi s9(2)(a)

My understanding is that it's been removed for now while the whole integrity section of the site is being updated.

s9(2)(a) can you please confirm this is the case?

Cheers
s9(2)(a)

From: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Sent: Friday, 25 September 2020 12:17 PM
To: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Subject: Sport NZ Integrity Framework

Hi s9(2)(a)

I cant seem to find our integrity framework and the pages that hang off these on our website anymore. Can you please send me the link? We use this a lot when responding to transgender participation queries

thanks

s9(2)(a) s9(2)(a)
Acting Ministerial Services Lead

MOBILE +64 s9(2)(a)



sportnz.org.nz



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s9(2)(a)

From: Paul Houliston <s9(2)(a)@allenandclarke.com.au>
Sent: Monday, 28 September 2020 6:31 pm
To: s9(2)(a); s9(2)(a)
Cc: s9(2)(a); s9(2)(a)
Subject: RE: Comments on Development of a transgender player policy for sport
Attachments: Development of a NZ Rugby Policy and Sport Sector Principles for transgender participation - Draft Project Plan - 28 Sep 20.docx; Development of NZR Policy and Sport Sector Principles for participation of transgender players - 28 Sep 20.pdf; Development of a NZ Rugby Policy and Sport Sector Principles for transgender participation - Draft Project Plan - 28 Sep 20.pdf
Categories: Saved to KC
Development of NZR Policy and Sport Sector principles for participation of transgender players - 28 Sep 20.pdf withheld under section 9(2)(b)(ii)

Hi s9(2)(a)

Thanks for the feedback on the draft Project Plan and Budget.

I have made the changes you requested in the Plan – revised Word and PDF versions attached.

I have also amended the Phase 3 activities in the Budget to more clearly show the Sport Sector Principles as an Output.

Regards,

Paul



Paul Houliston
Managing Partner (Australia)
Ph. + s9(2)(a)
s9(2)(a) [allenandclarke.com.au](mailto:s9(2)(a)@allenandclarke.com.au)
Suite 203, 546 Collins Street, Melbourne VIC 3000
www.allenandclarke.com.au

Allen + Clarke acknowledges the Traditional Custodians of the land we work on and the communities that we work with. We acknowledge their history, culture and Elders past, present and emerging.

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From: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Sent: Monday, 28 September 2020 9:24 AM
To: Paul Houliston <s9(2)(a)@allenandclarke.com.au>; s9(2)(a) <s9(2)(a)@nzrugby.co.nz>
Cc: s9(2)(a) <s9(2)(a)@nzrugby.co.nz>; s9(2)(a) <s9(2)(a)@nzrugby.co.nz>; s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Subject: Comments on Development of a transgender player policy for sport

Hi Paul,

s9(2)(a)

From: s9(2)(a)
Sent: Tuesday, 29 September 2020 10:40 am
To: s9(2)(a)
Subject: RE: FOR COMMENT ASAP- Transgender email to CEs

Looks good and reads well.

From: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Sent: Tuesday, 29 September 2020 10:37 AM
To: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Subject: FOR COMMENT ASAP- Transgender email to CEs

Kia ora

Thank you for offering your time to help us further support the inclusion of transgender individuals in the Sport, Active Recreation, and Play Sector.

Background

The key guiding principle we are using to support this important work is taken from our Sport Integrity Framework – Diversity and Inclusion. This principle is:

“Every New Zealander has the right to participate in play, active recreation and sport within a welcoming and inclusive environment, and to be treated with respect, empathy and positive regard irrespective of age, ability, ethnicity, gender, national origin, race, religion, sexual orientation, political beliefs or socio-economic status.”

Please keep in mind key guiding principle as you look through the draft scope.

You will note when reading the draft project scope that we are also developing a policy for the inclusion of transgender individuals in Rugby Union lead by NZ Rugby. Sport NZ has taken the opportunity to leverage off this work to help the sector develop principles to support transgender individual’s participation. We would therefore appreciate your comments on the Sport NZ Led principles based work.

First Step

Please take a look through the draft scope attached and provide any comments to me by return email. Once we have considered all of the comments we will feed this back to Allen and Clarke and finalise the scope before moving to the next step.

Deadline

It would be great if you were able to provide your comments by **noon** on Monday 5 October 2020.

Next steps

It would also be appreciated if you could let me know if you would like to continue with this work and participate in the Allen and Clarke consultation process.

Once again thank you for your time.

Thank you

s9(2)(a) s9(2)(a)
Acting Ministerial Services Lead

s9(2)(a)

From: Paul Houliston <s9(2)(a)@allenandclarke.com.au>
Sent: Tuesday, 29 September 2020 12:51 pm
To: s9(2)(a) s9(2)(a)
Cc: s9(2)(a)
Subject: RE: Funding for the Development of a transgender player policy for sport

Categories: Saved to KC

Thanks s9(2)(a)

I think we are fine at the moment around the timelines for the work and OK to wait for the feedback from the codes before locking in the full approach. Rugby's end game is to have a policy in place for the start of the 2021 season.

In terms of the Evidence Review – we have received a batch of papers/documents/correspondence from interested parties - from NZR and are reviewing these.

If there are any key documents or papers from Sport NZ that you would like share – it would be great if you could send those through now (we are happy to take them in whatever shape or form you have them).

Regards,

Paul



Paul Houliston
Managing Partner (Australia)
Ph. + s9(2)(a)
s9(2)(a) [allenandclarke.com.au](mailto:s9(2)(a)@allenandclarke.com.au)
Suite 203, 546 Collins Street, Melbourne VIC 3000
www.allenandclarke.com.au

Allen + Clarke acknowledges the Traditional Custodians of the land we work on and the communities that we work with. We acknowledge their history, culture and Elders past, present and emerging.

Please consider the environment before printing this email

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From: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Sent: Tuesday, 29 September 2020 9:24 AM
To: s9(2)(a) <s9(2)(a)@nzurugby.co.nz>; Paul Houliston <s9(2)(a)@allenandclarke.com.au>
Subject: RE: Funding for the Development of a transgender player policy for sport

Hi s9(2)(a) and Paul,

I have sent the project plan out to our volunteer CEOs today with comment back by noon on Monday 5 October. I am aware of the time pressures for developing a policy for NZR, Paul are there any aspects of the work (evidence review) that you can push forward with while we wait for comments?

Thanks

s9(2)(a)

From: s9(2)(a) <s9(2)(a)@nzrugby.co.nz>

Sent: Monday, 28 September 2020 4:27 pm

To: s9(2)(a) <s9(2)(a)@sportnz.org.nz>; s9(2)(a) Houliston <s9(2)(a)@allenandclarke.com.au>

Subject: RE: Funding for the Development of a transgender player policy for sport

Good news – thanks s9(2)(a) Will be great to get started.....

From: s9(2)(a) <s9(2)(a)@sportnz.org.nz>

Sent: Monday, 28 September 2020 3:00 pm

To: Paul Houliston <s9(2)(a)@allenandclarke.com.au>; s9(2)(a) <s9(2)(a)@nzrugby.co.nz>

Subject: Funding for the Development of a transgender player policy for sport

Hi Paul,

I have some certainty around the billing for the work. It has been agreed that Sport NZ will pay s9(2)(ba)(i) as detailed in the pricing plan dated 21 September 2020.

Could you please organise for us to be billed directly.

Thanks

s9(2)(a)

s9(2)(a)

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s9(2)(a)

From: Jennah Wootten
Sent: Monday, 28 September 2020 2:11 pm
To: s9(2)(a)
Subject: RE: Responses :-Development of a Transgender Player Policy - Draft Project Plan - 21 Sep 20
Categories: Saved to KC

I think cap it off at s9(2)(a) s9(2)(a) s9(2)(g)(i)

Re funding, A&C can just bill us for the work. I don't think I need to have a chat to s9(2)(a) about that? Happy for you to advise.

Jennah Wootten
General Manager, Partnerships and Communication



+64 s9(2)(a)
sportnz.org.nz



From: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Sent: Monday, 28 September 2020 12:08 PM
To: Jennah Wootten <Jennah.Wootten@sportnz.org.nz>
Subject: Responses :-Development of a Transgender Player Policy - Draft Project Plan - 21 Sep 20

Hi Jennah,

I will get some updates to the document.

At the moment I think it is at a stage where it can go to the volunteers for consultation. I have spoken with rugby and they are comfortable with their sections being shared.

s9(2)(g)(i)

s9(2)(a) will no doubt want to get in touch regarding funding the project. Is it ok to direct him to you on that?

s9(2)(a)

From: Jennah Wootten
Sent: Tuesday, 29 September 2020 11:52 am
To: s9(2)(a)
Subject: RE: Sport NZ work on Supporting Transgender individuals in the Sector - FOR COMMENT
Categories: Saved to KC

Nice work s9(2)(a) If you could let me know what feedback comes through in a consolidated form, that would be great.

Jennah Wootten
General Manager, Partnerships and Communication



+64 s9(2)(a)
sportnz.org.nz



From: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Sent: Tuesday, 29 September 2020 11:21 AM
To: s9(2)(a) <s9(2)(a)@sportnz.org.nz>; Jennah Wootten <Jennah.Wootten@sportnz.org.nz>; Alice Hume <Alice.xxxx@xxxxxxx.xxx.nz>; s9(2)(a) <s9(2)(a)@sportnz.org.nz>; s9(2)(a) <s9(2)(a)@sportnz.org.nz>; s9(2)(a) <s9(2)(a)@sportnz.org.nz>; s9(2)(a) <s9(2)(a)@sportnz.org.nz>; s9(2)(a) <s9(2)(a)@sportnz.org.nz>; s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Subject: FYI: Sport NZ work on Supporting Transgender individuals in the Sector - FOR COMMENT

Hi All,

Just a quick heads up that this email (and attachment) has just been sent out to those in the sector who put their names forward to help with the work in supporting transgender individuals to participate in the sector.

We have from the sector:



s9(2)(a)
[Redacted]

The timeframe is quite tight as we need to move forward quickly to align with the NZR policy work which is part of the project.

Thanks

s9(2)(a)
[Redacted]

From: s9(2)(a) <s9(2)(a)@sportnz.org.nz>

Sent: Tuesday, 29 September 2020 11:14 am

To: s9(2)(a) <s9(2)(a)@sportnz.org.nz>

Subject: Sport NZ work on Supporting Transgender individuals in the Sector - FOR COMMENT

Kia ora

Thank you for offering your time to help us further support the inclusion of transgender individuals in the Sport, Active Recreation, and Play Sector.

Background

The key guiding principle we are using to support this important work is taken from our Sport Integrity Framework – Diversity and Inclusion. This principle is:

“Every New Zealander has the right to participate in play, active recreation and sport within a welcoming and inclusive environment, and to be treated with respect, empathy and positive regard irrespective of age, ability, ethnicity, gender, national origin, race, religion, sexual orientation, political beliefs or socio-economic status.”

Please keep in mind the key guiding principle as you look through the draft project plan.

You will note when reading the draft project plan that we are also developing a policy for the inclusion of transgender individuals in Rugby Union lead by NZ Rugby. Sport NZ has taken the opportunity to leverage off this work to help the sector develop principles to support transgender individual’s participation. We would therefore appreciate your comments on the Sport NZ Led principles based work.

First Step

Please take a look through the draft project plan attached and provide any comments to me by return email. Once we have considered all of the comments we will feed this back to Allen and Clarke and finalise the scope before moving to the next step.

Deadline

It would be great if you were able to provide your comments by **noon on Monday 5 October 2020**.

Next steps

It would also be appreciated if you could let me know if you would like to continue with this work and participate in the Allen and Clarke consultation process.

Once again thank you for your time.

Thank you

s9(2)(a)

From: s9(2)(a)
Sent: Monday, 28 September 2020 1:39 pm
To: s9(2)(a)
Cc: s9(2)(a); Jennah Wootten
Subject: RE: Transgender work in the Sport Sector

Categories: Saved to KC

Kia Ora s9(2)(a) – thanks for the update. Yes I did see this and reached out to Jennah to express an interest in the linking into this work. s9(2)(a)

Probably s9(2)(a) in our team might have more to offer than me, but happy to be the contact for now.

Best wishes s9(2)(a)

From: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Sent: Monday, 28 September 2020 12:29 pm
To: s9(2)(a)
Subject: Transgender work in the Sport Sector

Hi s9(2)(a)

I am not sure if you have send the CEO update (see below). We are looking for people to provide some time to input into a set of transgender principles which they can use to develop their own policies (particular to their sport).

We are keen to have the s9(2)(a) involved in the work. We feel that you would have a lot to contribute in this important area.

If you are keen our you have someone who is keen to be involved we would love to have you.

Please let me know.

Thanks

s9(2)(a)

Diversity and Inclusion - Transgender participation in sport

Sport NZ is looking for CEOs who would like to engage with us in the development of work to provide a more inclusive environment in the sector for transgender participants. The first phase will be to review a project brief that sets out the main deliverables and how we will and who we will engage with across the sector and with the transgender community. We are keen to have engagement from a wide number of sports (contact and non-contact) to ensure we take into account the many nuances of your sports.

In line with the Human Rights Act 1993 (section 49) our work will be primarily focused on competitive sport (at all levels) for individuals over the age of 12. However, we will welcome feedback and comment in the first phase for areas outside this.

It is expected that the first phase (project brief) will take no more than one hour of your time.

s9(2)(a) s9(2)(a)
Acting Ministerial Services Lead

MOBILE +64 s9(2)(a)



sportnz.org.nz



Sport New Zealand is the crown entity responsible for Aotearoa New Zealand's play, active recreation and sport system.

For more details, visit www.sportnz.org.nz

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s9(2)(a)

From: s9(2)(a)
Sent: Tuesday, 29 September 2020 11:14 am
To: s9(2)(a)
Subject: Sport NZ work on Supporting Transgender individuals in the Sector - FOR COMMENT
Attachments: Development of a NZ Rugby Policy and Sport Sector Principles for transgender participation - Draft Project Plan - 28 Sep 20.pdf

Categories: Saved to KC

Kia ora

Thank you for offering your time to help us further support the inclusion of transgender individuals in the Sport, Active Recreation, and Play Sector.

Background

The key guiding principle we are using to support this important work is taken from our Sport Integrity Framework – Diversity and Inclusion. This principle is:

“Every New Zealander has the right to participate in play, active recreation and sport within a welcoming and inclusive environment, and to be treated with respect, empathy and positive regard irrespective of age, ability, ethnicity, gender, national origin, race, religion, sexual orientation, political beliefs or socio-economic status.”

Please keep in mind the key guiding principle as you look through the draft project plan.

You will note when reading the draft project plan that we are also developing a policy for the inclusion of transgender individuals in Rugby Union lead by NZ Rugby. Sport NZ has taken the opportunity to leverage off this work to help the sector develop principles to support transgender individual’s participation. We would therefore appreciate your comments on the Sport NZ Led principles based work.

First Step

Please take a look through the draft project plan attached and provide any comments to me by return email. Once we have considered all of the comments we will feed this back to Allen and Clarke and finalise the scope before moving to the next step.

Deadline

It would be great if you were able to provide your comments by **noon on Monday 5 October 2020.**

Next steps

It would also be appreciated if you could let me know if you would like to continue with this work and participate in the Allen and Clarke consultation process.

Once again thank you for your time.

Thank you

s9(2)(a) s9(2)(a)
Acting Ministerial Services Lead

MOBILE +64 s9(2)(a)



s9(2)(a)

From: s9(2)(a)
Sent: Tuesday, 29 September 2020 7:51 am
To: s9(2)(a)
Subject: RE: Partner update content

Hi s9(2)(a)

I had included this in the draft content for today's sector update, however Jennah has signalled you have already got a number of hand raises so probably no need to include in the update again.

Are you able to confirm?

Many thanks,

s9(2)(a)

From: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Sent: Friday, 18 September 2020 8:17 AM
To: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Subject: Partner update content

Diversity and Inclusion - Transgender participation in sport

Sport NZ is looking for CEOs who would like to engage with us in the development of work to provide a more inclusive environment in the sector for transgender participants. We are keen to have engagement from a wide number of sports (contact and non-contact) to ensure we take into account the many nuances of your sports.

The first phase will be to review a project brief that sets out the main deliverables and how we will and who we will engage with across the sector and with the transgender community. It is expected that the first phase (project brief) will take no more than one hour of your time. Please let us know at ccccxx@xxxxxxx.xxx.xx if you would like to be involved in this important work.

thanks

s9(2)(a) s9(2)(a)
Acting Ministerial Services Lead

MOBILE +64 s9(2)(a)



sportnz.org.nz



s9(2)(a)

From: s9(2)(a) <s9(2)(a)nzrugby.co.nz>
Sent: Tuesday, 29 September 2020 1:24 pm
To: s9(2)(a) Paul Houliston
Subject: RE: Funding for the Development of a transgender player policy for sport

Categories: Saved to KC

Thanks s9(2)(a) – as per Pauls response, given they are happy that timelines are still okay then no dramas from me here.

From: s9(2)(a) <s9(2)(a)sportnz.org.nz>
Sent: Tuesday, 29 September 2020 12:24 pm
To: s9(2)(a) <s9(2)(a)nzrugby.co.nz>; Paul Houliston <s9(2)(a)allenandclarke.com.au>
Subject: RE: Funding for the Development of a transgender player policy for sport

Hi s9(2)(a) and Paul,

I have sent the project plan out to our volunteer CEOs today with comment back by noon on Monday 5 October. I am aware of the time pressures for developing a policy for NZR, Paul are there any aspects of the work (evidence review) that you can push forward with while we wait for comments?

Thanks

s9(2)(a)

From: s9(2)(a) <s9(2)(a)nzrugby.co.nz>
Sent: Monday, 28 September 2020 4:27 pm
To: s9(2)(a) <s9(2)(a)sportnz.org.nz>; Paul Houliston <s9(2)(a)allenandclarke.com.au>
Subject: RE: Funding for the Development of a transgender player policy for sport

Good news – thanks s9(2)(a) Will be great to get started.....

From: s9(2)(a) <s9(2)(a)sportnz.org.nz>
Sent: Monday, 28 September 2020 3:00 pm
To: Paul Houliston <s9(2)(a)allenandclarke.com.au>; s9(2)(a) <s9(2)(a)nzrugby.co.nz>
Subject: Funding for the Development of a transgender player policy for sport

Hi Paul,

I have some certainty around the billing for the work. It has been agreed that Sport NZ will pay s9(2)(a) as detailed in the pricing plan dated 21 September 2020.

Could you please organise for us to be billed directly.

Thanks

s9(2)(a)

s9(2)(a)

From: s9(2)(a) Houliston <s9(2)(a)allenandclarke.com.au>
Sent: Monday, 21 September 2020 8:18 pm
To: s9(2)(a) <s9(2)(a)sportnz.org.nz>; s9(2)(a) <s9(2)(a)nzrugby.co.nz>

Cc: s9(2)(a) < s9(2)(a) nzrugby.co.nz>; s9(2)(a) < s9(2)(a) nzrugby.co.nz>

Subject: Development of a transgender player policy for sport

Hi s9(2)(a) and s9(2)(a)

Thank you for making time to meet last week to discuss the scope of the proposed work in more detail.

Please find attached a draft Project Plan for the work. The plan outlines our proposed method for undertaking the evidence review, developing the Guiding Principles and the specific policy for NZ Rugby, and how we intend to engage with stakeholders through a two-stage process (engagement and then consultation).

We have also updated the proposed budget to reflect the scope we discussed and the method outlined in the Plan (PDF attached). The key changes from the budget we originally shared are:

Withheld under section 9(2)(b)(ii)

The increased scope means we have adjusted our approach from four consecutive phases to five. The increased scope amounts to an increase in budget of s9(2)(ba)(i). The changes can mainly be attributed to the increase in evidence review scope and the doubling of stakeholder engagement/consultation requirements, and the development of the guiding principles. The changes by phase are:

Phase One: Establishment and evidence review

- Increased evidence review scope (from 10 to 20 documents), therefore additional time required for conducting search and analysing evidence
- s9(2)(ba)(i)

Phase Two: Engagement with key stakeholders

- Double the number of interviews (from 10 to 20) interviews, therefore double time for the interviews and increased time for interview write up and analysis
- s9(2)(ba)(i)

Phase Three: Development (Phase Three and Four were previously one phase)

- Additional stage of drafting guiding principles and testing prior to drafting Policy
- See below

Phase Four: Consultation (Phase Three and Four were previously one phase)

- Some additional consultation time and analysis due to additional stakeholder requirements
- s9(2)(ba)(i) (Combined change across Phase Three and Four)

Phase Five: Finalise documents

- Minor timing adjustment to meet known requirements
- s9(2)(ba)(i)

Attached is a Word version of the Project Plan for the inclusion of any comments and a PDF version for sharing with stakeholders to seek their views.

Please let me know if you have any questions.

Regards,

Paul



Paul Houlston
Managing Partner (Australia)
Ph. + s9(2)(a)
s9(2)(a) allenandclarke.com.au
Suite 203, 546 Collins Street, Melbourne VIC 3000

s9(2)(a)

From:

s9(2)(a)

Sent:

Tuesday, 29 September 2020 9:11 pm

To:

s9(2)(a)

Subject:

RE: Sport NZ work on Supporting Transgender individuals in the Sector - FOR COMMENT

Categories:

Saved to KC

Hi s9(2)(a)

Thanks for the email below.

s9(2)(a)

s9(2)(g)(i)

s9(2)(g)(i)

s9(2)(g)(i)

s9(2)(g)(i)

s9(2)(a)

Cheers

s9(2)(a)

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s9(2)(a)

From: s9(2)(a)
Sent: Tuesday, 29 September 2020 3:49 pm
To: s9(2)(a) | s9(2)(a) | s9(2)(a)
Cc: s9(2)(a) | s9(2)(a)
Subject: Resources
Attachments: Non-Binary Inclusion in Sport Booklet.pdf

Kia ora Team

Just sending you two resources that I have received from my IWG innov8 group

1. Non- Binary inclusion in sport – Attached
2. Females experiences in E-Sports <https://www.youtube.com/watch?v=502bSvWAV7s>.

Happy reading

s9(2)(a)
Healthy Active Learning
Implementation Consultant



+64 s9(2)(a)
sportnz.org.nz



s9(2)(a)

From: s9(2)(a)
Sent: Tuesday, 29 September 2020 12:47 pm
To: s9(2)(a)
Cc: Alice Hume
Subject: Responses in document: WBI070 Transgender work
Attachments: WBI070 Transgender work.docx

Here you go.

Just confirming with you that this initiative is to develop a project scope of areas that we might look at further to support participation. Therefore, it will depend on what areas are considered a most effective use of resources. We may find that Facilities is a barrier or that there are no clear policies for transgender, so different parts of the business may have more involvement. Where we direct effort would also depend on Sport NZ's ability to influence change in the sector .

I will accept all the changes and get the document loaded back into KC.

Thanks heaps for your comment very helpful.

s9(2)(a)

RELEASED UNDER THE OFFICIAL INFORMATION ACT

s9(2)(a)

From: s9(2)(a)
Sent: Tuesday, 29 September 2020 1:46 pm
To: s9(2)(a)
Subject: RE: Sport NZ work on Supporting Transgender individuals in the Sector - FOR COMMENT
Categories: Saved to KC

Hi s9(2)(a)

The ToR look fine. s9(2)(g)(i)

I am not sure if this is something to address at this stage but thought I would raise it in case. Happy to stay involved in the project.

Kind regards

s9(2)(a)

s9(2)(a)

s9(2)(a)



From: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Sent: Tuesday, 29 September 2020 11:14 AM
To: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Subject: Sport NZ work on Supporting Transgender individuals in the Sector - FOR COMMENT

Kia ora

Thank you for offering your time to help us further support the inclusion of transgender individuals in the Sport, Active Recreation, and Play Sector.

Background

The key guiding principle we are using to support this important work is taken from our Sport Integrity Framework – Diversity and Inclusion. This principle is:

“Every New Zealander has the right to participate in play, active recreation and sport within a welcoming and inclusive environment, and to be treated with respect, empathy and positive regard

irrespective of age, ability, ethnicity, gender, national origin, race, religion, sexual orientation, political beliefs or socio-economic status.”

Please keep in mind the key guiding principle as you look through the draft project plan.

You will note when reading the draft project plan that we are also developing a policy for the inclusion of transgender individuals in Rugby Union lead by NZ Rugby. Sport NZ has taken the opportunity to leverage off this work to help the sector develop principles to support transgender individual’s participation. We would therefore appreciate your comments on the Sport NZ Led principles based work.

First Step

Please take a look through the draft project plan attached and provide any comments to me by return email. Once we have considered all of the comments we will feed this back to Allen and Clarke and finalise the scope before moving to the next step.

Deadline

It would be great if you were able to provide your comments by **noon on Monday 5 October 2020.**

Next steps

It would also be appreciated if you could let me know if you would like to continue with this work and participate in the Allen and Clarke consultation process.

Once again thank you for your time.

Thank you

s9(2)(a) s9(2)(a)
Acting Ministerial Services Lead

MOBILE +64 **s9(2)(a)**



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For more details, visit www.sportnz.org.nz

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Your assistance is appreciated.

POLICY AND SPORT SECTOR PRINCIPLES FOR PARTICIPATION OF TRANSGENDER PLAYERS

Background to the project

Allen + Clarke has been engaged by Sport New Zealand (Sport NZ) to establish a set of Guiding Principles for the inclusion of transgender players in community sport, and by New Zealand Rugby (NZ Rugby) to develop a proposed transgender policy for rugby players at the community level.

The Guiding Principles will provide a mechanism to support the participation of transgender players in community sport and to ensure that sport remains inclusive, safe, and fair. The Guiding Principles will include clear expectations about what should be included in a transgender player policy, and who and how an organisation should consult with relevant stakeholders when establishing their own policy. The Guiding Principles will help inform the development of the proposed NZ Rugby Transgender Player Policy.

This work will develop:

1. Finalised Guiding Principles for a transgender player policy in community sport; and
2. A proposed NZ Rugby Transgender Player Policy at the community level.

Initial stakeholder engagement

Members of the project team at *Allen + Clarke* will be engaging with a range of members of the transgender community, sporting codes and other interested parties to understand their views on the topic and to inform the development of this work.

This initial stakeholder engagement will take place in November 2020. There will be further opportunities for comment in early 2021.

It is expected that interviews will be conducted via zoom (or other videoconferencing or teleconferencing platforms), with the possibility for a small number of face-to-face interviews to be held in Wellington, if required. Interviews will run for approximately one hour, with scope for more time if required.

If certain sporting organisations/codes would prefer to come together to discuss the project, some interviews may be undertaken as focus groups. Focus groups may also be suitable for other organisations where a large number of attendees will be present.

Two members from the *Allen + Clarke* team will be present at each meeting. Focus groups and interviews will be audio recorded, with the consent of participants.

Questions for consideration during interview

Outlined below are initial questions which will be addressed during stakeholder interviews and focus groups. We wish to have a wide discussion and are interested in hearing from stakeholders about any matters relating to transgender player participation that should be considered as part of the Guiding Principles (whether or not listed below).

Relevant stakeholders may wish to distribute the list of questions outlined below to their broader community including players to provide input into this initial phase of stakeholder engagement.

Questions for all stakeholders:

- What principles are important to consider when developing a policy for transgender participation?
- What does safe and meaningful engagement look like to you?
- What would you like to see in a transgender player policy? Why is this important?

Questions for the sporting community:

- Do you currently have an approach for including the transgender community in your sport? Has this been considered before?
- What is the elite pathway for transgender individuals in your sport? Does this impact upon transgender players at a community/domestic/national competitive level?
- Where is the line between community/social and competitive sport drawn and what is this determined by?
- Who did your organisation consult with when developing your transgender participation policies?

Questions for the transgender community:

- What other issues should sports organisations consider when developing their respective transgender player policy?
- Who should sports organisations consult with when developing transgender sports policies?

Questions for other interested parties:

- What interest do you or those you represent have in transgender participation in sport?
- What other issues should sports organisations consider when developing their respective transgender player policy?

Sharing material

In advance of the interviews, if you have any relevant documentation that will inform the discussion, please send it to us via e-mail at the contact details listed below.

How will your input be used?

Findings and insights from the interviews will be used to inform the development of the draft Guiding Principles for community sport and draft NZ Rugby Transgender Player Policy at the community level.

A second round of engagement with stakeholders will occur in January 2021.

Contact details for the project team

If you have any questions or concerns, please contact either:

s9(2)(a) – Project Manager

s9(2)(a) – Project Analyst

s9(2)(a)i@allenandclarke.com.au

s9(2)(a)@allenandclarke.co.nz

Further information about *Allen + Clarke* is available at www.allenandclarke.co.nz

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s9(2)(a)

From: Eddie Kohlhase
Sent: Thursday, 1 October 2020 7:14 am
To: Neena Ullal; s9(2)(a)
Subject: Re: Transgender principles work and HPSNZ

Categories: Saved to KC

Agreed Neena

Bruce is best placed
Eddie

Eddie Kohlhase
General Manager Performance Partnerships
High Performance Sport New Zealand

s9(2)(a)

On 1/10/2020, at 6:48 AM, Neena Ullal <Neena.Ullal@hpsnz.org.nz> wrote:

Hi s9(2)(a)

Thanks for your email – I'm keen to stay across this work, but I think you'll get a much more valuable contribution – particularly at the consultation phase - from Bruce, who I know is far more across these issues and the practical implications than I am. Bruce – please let us know if you think there's anyone else that we should loop in from an HPSNZ perspective.

Ngā mihi



Neena Ullal

General Counsel

T – s9(2)(a)

E – x@xx

[HPSNZ.ORG.NZ](https://www.hpsnz.org.nz)

From: s9(2)(a) <s9(2)(a)@sportnz.org.nz>
Sent: Wednesday, 30 September 2020 3:33 PM
To: Neena Ullal <Neena.Ullal@xxxxx.xxx.nz>; Eddie Kohlhase <Eddie.Kohlhase@hpsnz.org.nz>
Cc: Jennah Wootten <Jennah.Wootten@sportnz.org.nz>
Subject: Transgender principles work and HPSNZ

Hi Neena and s9(2)(a)

Sport NZ is undertaking some work with NZ Rugby and Allen and Clarke to develop some principles to support transgender individuals in the sport, active recreation and play space. We would like to

see if either you or someone from your team would like to be part of the work in the consultation phase.

Although there are clear regulations through the IFs and the IOC for the inclusion of transgender individuals in elite sport we are also aware that before anyone becomes an elite or pre-elite athlete they all generally begin in some form of community sport. We therefore think it would be advantageous for HPSNZ to be involved in the work.

I have attached the draft project plan for your information and we are looking to finalise this early next week. From there you will see that there will be a round of individual meetings with sports and then focus group meetings which we hope HPSNZ will join along with Sport NZ.

Let me know if you are keen or would have someone who would like to participate from your team.

thanks

s9(2)(a) s9(2)(a)
Acting Ministerial Services Lead

MOBILE +64 **s9(2)(a)**



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