



THE COUNTESS

The Countess Advocacy Group

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Ms. Reem Alsalem

United Nations Special Rapporteur on violence against women and girls

Re: Call for input to the report of the Special Rapporteur on violence against women and girls to the UN General Assembly on violence against women and girls in sport

Dear Ms. Alsalem

I am writing on behalf of our organisation, The Countess, whose mission is to promote and protect the best interests of the women and children of Ireland. Our current focus is highlighting the unintended consequences of the Gender Recognition Act 2015, which introduced full and unrestricted gender self-declaration and the legal fiction that it is possible to change sex, and the widespread adoption of the gender ideology belief system. We are an apolitical and non-partisan organisation and do not align with any political party or candidate.

At the core of our mission is the safety and wellbeing of women, children, and vulnerable LGB people. Women and children deserve privacy, dignity, and safety in schools, workplaces, sport, changing rooms, toilets, hospitals, prisons, and refuges. Self-ID means an end to single-sex provision.

We believe our democracy must work for all of us, not just a tiny minority and their allies. Our position is that trans rights are human rights. Trans-identified people must have every possible human and civil right but not at a cost to women and children.

We have identified [eight Pillars of Concern](#) and have working groups across these areas, examining evidence and trends, offering analysis and advocacy, and putting forward submissions to various public bodies. One of our eight pillars of concern is Sport, in particular the impact on women and girls of policies that allow males to enter the female category.

As you may be aware, women and girls face unique barriers to full participation in sport and many organisations are trying to increase female participation in sport at all levels. A number of sporting organisations in Ireland have adopted policies that allow males to play and

compete with/against women and girls. There is clear evidence that this poses safety risks on the field of play and safeguarding risks where toilets, showers, and changing rooms are used. Male inclusion in female sport results in unfairness to women and girls as the male physical advantages cannot be negated. An independent poll conducted on our behalf found that the majority of Irish people want sport to be divided on the basis of sex at birth, as did recent guidance issued by Sport Ireland.

Despite this there have been international and national organisations that push for policies that allow the entry of trans-identified males into the female category, in the name of 'inclusion'. As a direct result of these policies, women and girls are placed at increased risk of violence, and indeed many have directly experienced violence.

This letter will address the questions posted in your call for input.

1. What are the different forms of violence that women and girls in sports may experience (e.g. physical, psychological, economic, online violence, coercive control, as well as extreme form of discrimination that amounts to violence)?

Violence against women and girls in sport can take the form of direct physical violence, indirect physical harm, coercive control, invasion of privacy, voyeurism, and sexual assault. Policies that allow males to enter female sporting categories can result in these forms of violence.

Physical harm

Direct physical violence

Women and girls are at a much greater risk of physical harm when participating in combat sports and all contact sports (e.g. Rugby), where there is a significant mismatch of physical strength, body mass, and lever length (irrespective of weight categories), which results in much higher risk of direct physical harm, including concussion. Women have reported injury following tackles in soccer by males, including broken legs and other season-ending injuries.

While some sport world governing bodies have set out to protect the female sports category (e.g. Rugby, Boxing), this is not always implemented by national sports governing bodies.

This leads to a situation where women and girls are protected in one country but not another.

Indirect physical harm

Aside from the risk of direct violence through collisions, hard tackles, and indeed blows to the body in the case of combat sports there is also a risk of indirect physical harm from the presence of males in a sport that is designated for women. This includes being struck by

balls (e.g. a girl sustained life-altering brain injury in volleyball after being struck in the face by a ball spiked by a trans-identified male on the opposing team) or involved in collisions on a racetrack.

Sexual assault

Allowing any males into female changing rooms increases the risk of sexual assault on women and girls. Women and girls may end up alone in a changing room with a male, who has the opportunity to physically or sexually assault the woman or girl. Women and girls can no longer call out if a strange man enters the female changing room, as they must 'be kind' to men who identify as women, so this enables any man to enter women's changing rooms without challenge.

Coercive control

There is an imbalance of power between coaches and athletes, especially when coaching girls. This can lead to coercive control as the girl (or woman) does not want to jeopardise her sports career and opportunities so feels she must do as her coach requests. This means girls and women will stay silent as team places, podium spots, medals, trophies, and scholarship opportunities are lost to men who identify as women. The long-term harm of putting their own rights in second place to those of males is significant.

Invasion of privacy

Allowing males to enter and use female changing rooms in sports is an affront to the dignity and right of privacy of women and girls, especially when undressing and showering. No males should be able to enter female single-sex changing rooms.

Voyeurism

Failure to uphold single-sex changing rooms can result in incidents of voyeurism, where men or boys watch women and girls undress for sexual gratification. It also facilitates men in secretly photographing or videoing girls and women while they undress, under cubicle doors or via hiding cameras in changing room. These videos can then be posted on the internet (e.g. Pornhub etc.) for wider viewing by other men.

2. What human rights of women and girls in sports are violated as a result of the exposure of women and girls in sports to violence or the risk of violence?

UN article 1 on Human rights notes that "All human beings are born free and equal in dignity and rights." And Article 5 states "No one shall be subjected to torture or to cruel, inhuman or

degrading treatment or punishment.” We contend that forcing women and girls to allow men, who identify as women, into their sports and changing rooms breaches both these articles.

The Convention on the Elimination of all forms of Discrimination against Women provides a complete definition of sex-based discrimination, described as any exclusion, restriction, or distinction on **the grounds of sex**, which intentionally or unintentionally impairs or nullifies the recognition, enjoyment, and exercise of women’s social, cultural, political, and economic rights. In its preamble, the Convention recognizes that “extensive discrimination against women continues to exist [and creates] an obstacle to the participation of women, on equal terms with men, in the political, social, economic and cultural life of their countries.” Thus the policies that allow for males to enter the female category cause discrimination against women and girls as their human rights are breached and their rights to object are quashed.

3. Which actors are responsible for committing acts of violence against women and girls and increasing the risks of violence against women and girls in sports?

Any organisation or government body that allows males to enter female categories for sport or to enter female-only spaces is responsible for increased risks of violence towards women and girls in sports.

4. What are the principal causes of the violence that women and girls experience in sports, including the structural causes of such violence?

Women and girls in Ireland are exposed to violence in the form of males in their sport and in their changing rooms as a result of policies that allow this. The Gender Recognition Act 2015 is often cited as the legal basis for this inclusion but the law in Ireland does allow for discrimination in both areas on the basis of sex (not gender identity). The undue influence of NGOs and lobby groups who misinterpret the law is seen by many as a major factor in the suppression of debate around this issue.

5. Which groups of women and girls in sports are more exposed to violence and on what grounds?

Women and girls in sports where there is high risk of contact or collision and where the category of female is not protected are most at risk of direct physical violence on the field of play. All women and girls in sports where males are allowed access to their changing areas on the basis of self-declared gender identity are at risk of the other forms of violence outlined above.

6. What are the responsibilities of State and non-State actors in preventing acts of violence against women and girls in sport, including in adopting measures to investigate it, and to hold those responsible for it accountable, and to provide assistance and protection to survivors of violence?

Government bodies funding sports as well as national governing bodies (NGBs) have an obligation to ensure women and girls are not placed at additional risk of violence in sports either on the field, at training or in changing rooms. Government bodies that fund sports NGBs should withhold funds where women and girls are not protected by single-sex sporting categories and changing rooms. World governing bodies should engage with national governing bodies to help them establish policies that protect women and girls from males infringing on their boundaries.

7. What measures do State and non-State actors have in place to ensure that incidents of violence against women and girls in sports can be effectively reported, and that they are thoroughly investigated and sanctioned?

We are not aware of any reporting mechanism in Ireland to allow women and girls to report violence caused by men who identify as women who have been allowed to enter their spaces/sports.

8. To what extent are women and girls in sport, as well as the associations that represent them being effectively involved and consulted in the design and implementation of policies that are meant to end severe discrimination and violence against women and girls in sport at the national, regional, and international level?

There was no consultation of female members of the Ladies Gaelic Football Association when their transgender policy was developed even though this policy allows males to play with and against women and girls in a high-risk field sport.

Although Sport Ireland has a Women in Sport policy that did involve consultation, this policy includes males who identify as female thus it is impossible to say whether women and girls only were consulted. A recent guidance document produced by the same organisation "Sport Ireland guidance on transgender and non-binary inclusion" noted that the vast majority of respondents favoured sex-based categories yet the same guidance also pushes 'inclusion' as a policy aim and gives examples to sports of how males can be included in the female category.

9. Please provide examples of good practice that have been adopted by State and non-State actors with regards to ending violence against women and girls in sports?

We commend those organisations who have protected women and girls in sport, such as the Irish Rugby Football Union, World Rugby, World Boxing and FINA.

Conclusion

We hope this letter helps you better understand the specific risks of violence experienced by women and girls where gender self-identity is used as the basis for entry into the female category. We urge you to continue your work in exposing and ending these and all other forms of violence against women and girls. If we can be of any further assistance, please do not hesitate to contact us.

Is mise, le meas,

Sorcha Nic Lochlainn

Sports Spokeswoman, The Countess