

**Force Disclosure Unit**

Wiltshire Police HQ

London Road

Devizes

Wiltshire

SN10 2DN

Tel 101 ext 62005

www.wiltshire.police.ukdisclosure@wiltshire.police.ukDate: 14th January 2022

Your Ref: FOI

Our Ref: FOI 2021/1030

Reply contact name is: Kay Moore

Dear,

I write in connection with your request for information dated 14th December 2021 concerning how sex and gender is recorded.

I am required by the Freedom of Information Act 2000 to handle all requests in a manner that is blind as to the identity and motives of the requestor. Any information released as a response to a request is regarded as being published and therefore in the public domain without caveat.

Your request for information has now been considered and after having consulted the Force Crime and Incident Registrar – I am now able to respond as follows.

You wrote:

Could you please tell me how your force deals with recording the sex/gender identification of individuals who come into contact with the police? For instance, if a person is arrested or charged with a crime, will the official record state the gender they choose to identify as, their legal sex as recorded on their birth certificate, or something else?

Could you clarify in particular if this would apply in the case of a person arrested or charged with rape or sexual assault?

Our response:

Information about how we record sex and gender can be found readily available in the public domain and is therefore exempt under S21 – Information Reasonably Accessible by Other Means.

A similar FOI request in relation to how we record sex and gender was received previously and this information is accessible through the Publication Scheme on the Wiltshire Police's website (please search for FOI 2021/547). I believe the response we have given previously in relation to this similar request will provide you with the information you require –

<https://www.wiltshire.police.uk/foi-ai/af/accessing-information/published-items/?q=&dt=Disclosure+log,Environmental+information+regulation,Publication+scheme&fdte=&tdte=&ic=&dir=&bor=>.



INVESTOR IN PEOPLE

I am satisfied that all the relevant information has been passed to me and been considered in the light of your request within the time constraints applicable under the legislation.

Wiltshire Police would like to thank you for the interest that you have shown in the Force.

Yours sincerely,

Kay Moore
Force Disclosure Decision Maker

Wiltshire Police offers a re-examination of your case under its review procedure.



Force Disclosure Unit

Wiltshire Police HQ, London Road, Devizes, Wiltshire SN10 2DN
Telephone 101 ext 62005

Freedom of Information Request Appeals Procedure

1. Who Can Ask for a Review

Any person who has requested information from Wiltshire Police, which has been dealt with under the Freedom of Information Act, is entitled to complain and request an internal review, if they are dissatisfied with the response they received.

2. How to Request a Review

Requests for review of a Freedom of Information request must be made in writing to the:
Force Disclosure Unit
Wiltshire Police Headquarters,
London Road, Devizes,
Wiltshire,
SN10 2DN

Email at disclosure@wiltshire.police.uk.

The reference number, date of the request and details of why the review is being requested must be included. Requests for review should be brought to the attention of the Force Disclosure Unit within 20 working days of the Force's response to the original FoI request.

3. Review Procedure

Receipt of a request for review will be acknowledged in writing to include confirmation of the reasons for the review. The review will be conducted by another Decision Maker, who is independent from the original Decision Maker. The Force Disclosure Unit will set a target date for a response. The response will be made as soon as is practicable with the intention to complete the review within twenty working days. In more complex cases the review may take up to 40 working days.

The Independent Decision Maker will conduct a review of the handling of the request for information and of decisions taken, including decisions taken about where the public interest lies in respect of exempt information where applicable. The review enables a re-evaluation of the case, taking into account the matters raised by the complaint.

4. Conclusion of the Appeal

On completion of the review the Independent Decision Maker will reply to the complainant with the result of the review. If the complainant is still dissatisfied following the review they should

contact the Information Commissioner to make an appeal. The Information Commissioner can be contacted via the following details:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Tel: 01625 545 700
Fax: 01625 524 510
Email: mail@ico.gsi.gov.uk