

WILTSHIRE POLICE



XXXXXXX
By email

**Force Disclosure Unit
Police Headquarters**
London Road
DEVIZES
Wiltshire
SN10 2DN

Date 28th February 2024

Our Ref FOI 2024-130

Dear XXXXX,

I write in connection with your request for information dated 30th January 2024, concerning NPCC Transgender Officer search policy.

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.

Following receipt of your request, research was conducted by the Corporate Communications & Engagement department and Custody at Wiltshire Police.

Your request for information has now been considered and I am able to respond as follows.

You wrote:

On 13th January 2024, it was widely reported that the NPCC has withdrawn its policy and guidance agreed previously at an NPCC meeting on 9/10 December 2021 dealing with the ability of officers to self identify as the opposite sex and conduct searches that are 'same sex' only under the provisions of the Police & Criminal Evidence Act 1984.

[Police drop guidance allowing trans officers to strip search people of the opposite biological sex \(telegraph.co.uk\)](https://www.telegraph.co.uk/news/ukpol/1254844/police-drop-guidance-allowing-trans-officers-to-strip-search-people-of-the-opposite-biological-sex/)

The NPCC stated at this time, that forces would revert to their own local policies.

I specifically seek to know;

1. Whether this force has also withdrawn the NPCC policy above and on what date it did so.
2. In respect to searches exceeding the most basic search of outer clothing, commonly referred to as more thorough searches, strip searches or intimate searches, please advise whether this force permits any searching to be conducted by an officer of the opposite sex.

For clarity, "sex" here means biological / physical sex, regardless of how the officer identifies, whether by way of a Gender Recognition Certificate or via verbal self-identification.

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3. If this force is still permitting such opposite sex searching to continue, which officer has made that decision. Please also identify the rank of the officer.

Our response:

1. Yes, the NPCC guidance (not policy) was withdrawn in January and Forces were asked to revert back to local policy.
2. No information held - Wiltshire Police do not yet have a local policy in place.
3. No information held - Wiltshire Police do not yet have a local policy in place.

Under our Section 16 duty to provide advice and assistance, please note the following:

Wiltshire Police have made it a Force priority to implement a new local policy. This is currently under review and there are ongoing discussions in relation to our current standpoint on this matter. Please contact us again at a later date (a month or so) to determine whether this position still stands, or whether a decision has been made.

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,

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



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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 Fol 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

Please note that the ICO's offices will be closed for the foreseeable future and are therefore unable to receive correspondence via post.

If you should wish to contact them, please visit <https://ico.org.uk/global/contact-us/>

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