

**Force Disclosure Unit**

Wiltshire Police HQ

London Road

Devizes

Wiltshire

SN10 2DN

Tel 101 ext 62005

www.wiltshire.police.ukdisclosure@wiltshire.pnn.police.uk

XXXXXX– by E Mail

Date: 22nd March 2024

Your ref: FOI

Our ref: FOI 2024 / 272

Reply contact name is: Nick Penny

Dear XXXXXX,

I write in connection with your request for information dated 3rd March 2024 concerning Gender Recognition Certificates.

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 – having consulted our Policy and Learning & Development Teams - I am now able to respond as follows.

You wrote (and Our Response) :

1. Your force policy and /or any directions to staff and officers regarding the circumstances in which they may request to see a Gender Recognition Certificate (GRC) from a member of the public.

Wiltshire Police do not currently have a Policy in place that covers the circumstances mentioned in Question 1.

We had been following the national transgender officer search guidance until its withdrawal in January. However, nationally the Transgender search policy has been halted whilst the NPCC considers the issue, this has been prompted by the Policing Minister who wants clarity on the issue.

As a force we are currently considering our position and are canvassing other forces to ascertain their position and to consider their policies.

As a force we will then consider our position which will be informed by the benchmarking we are doing, the revised NPCC position (when it is released) and the appropriate legal advice.

Until then, our officers will continue to use their professional judgement taking the sensitivity of the situation into account.



INVESTOR IN PEOPLE

2. As at 1. but relating to provision of a GRC from a person in custody.

3. As at 1. but relating to the provision of a GRC from a person charged/to be charged with an offence.

Custody currently work in accordance with PACE and APP (Applied Professional Practice) guidelines. There is no professional requirement to request a CRG within Custody for anyone attending or who is charged with an offence.

4. As at 1. but relating to the provision of a GRC FROM a police officer or staff member.

For clarity, with regard to 4. this will relate to their ability to conduct searches upon the opposite sex.

Please find attached a copy of our current Equal Opportunities Policy & Procedures. Please note this relates to employees (Officers and Staff of Wiltshire Police only) – it is also currently under review and is due an update / revision. This policy makes reference to the Gender Recognition Act and GRC's on pages 13-17.

5. Any training documentation provided to staff on the Gender Reform Act 2004.

As a Force we provide in depth training regarding the Human Rights Act and the Equality Act (which touches on gender discrimination) but nothing – currently – that is specifically on the Gender Reform Act 2004.

Police Training is generally governed by the curriculum that is set by the College of Policing.

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,

Nick Penny
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.pnn.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