



Your reference: n/a
Our reference: FOI_23_0701
E-mail: FOI
@gloucestershire.police.uk
Direct dial: 01452 754304
Postal Address: As above
Date: 02/08/2023

Dear

Gloucestershire Constabulary Freedom of Information request 2023.0701

On 07/07/2023 you sent an email constituting a request under the Freedom of Information Act asking the following:

Although I refer to "sex", your data recording systems may have the data field labelled "gender". Where this is the case, please interpret the following questions accordingly.

1. What explanatory guidance has been provided to your police force on how you should record the sex of suspects? Please provide a copy of the guidance.
2. What explanatory guidance has been provided to your police force on how you should record the protected characteristic "gender reassignment" in respect of suspects? Please provide a copy of the guidance.
3. If a male-born suspect has obtained a Gender Recognition Certificate signifying that this individual has obtained legal recognition of an acquired female gender, will the entry in the "sex" data field of the crime and incident report be recorded as male or as female?
4. If a male-born suspect self-identifies as a woman/female but has NOT obtained a Gender Recognition Certificate, will the entry in the "sex" data field of the crime and incident report be recorded as male or as female?
5. If a male-born suspect identifies as nonbinary, how will the "sex" data field of the crime and incident report be completed?
6. If a suspect identifies as a different gender to the sex observed at birth and has obtained a Gender Recognition Certificate, is this recorded separately by your force in crime and incident reporting?

7. If a suspect identifies as a different gender to the sex observed at birth but has NOT obtained a Gender Recognition Certificate, is this recorded separately by your force in crime and incident reporting?
8. If a male-born suspect has obtained a Gender Recognition Certificate signifying that this individual has obtained legal recognition of an acquired female gender and is arrested on suspicion of/charged with rape, will the entry in the "sex" data field of the crime and incident report be recorded as male or as female?
9. If a male-born suspect self-identifies as a woman/female but has NOT obtained a Gender Recognition Certificate and is arrested on suspicion of/charged with rape, will the entry in the "sex" data field of the crime and incident report be recorded as male or as female?

Under the Freedom of Information Act 2000 s1, I can confirm that Gloucestershire Constabulary holds no relevant information.

The Crime Registrar and Head of the Criminal Justice Department have confirmed that no explanatory guidance is held in relation to questions 1 and 2.

With regard to question 3-9, there is no recorded information in relation to these specific scenarios. However, I am able to confirm the following:

With regard to recording the sex/gender of suspects on the Crime Recording System, the sex/gender field has the options of male/female/unknown. There are no specific fields relating to Gender Recognition Certificates.

The gender that a detained person self-identifies as is the information the Custody Sergeant will record on the Custody Record.

Any details relevant to an investigation will be recorded on the Crime record.

If you are not satisfied with this response or any actions taken in dealing with your request, you have the right to ask that we review your case under our internal procedure. Please note that a request for an internal review must be made within 20 working days of the response to your original request.

If you decide to request that such a review is undertaken and following this process you are still unsatisfied, you then have the right to direct your complaint to the Information Commissioner for consideration.

The Information Commissioner can be contacted via the following means:

Website - <https://ico.org.uk/>

Call their helpline - 0303 123 1113

Email - casework@ico.org.uk

Post –

Information Commissioner's Office
Wycliffe House

Water Lane
Wilmslow
Cheshire
SK9 5AF

Yours sincerely,

Disclosure Officer
Gloucestershire Constabulary