



Your reference: n/a

Our reference: FOI_24_0136

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Direct dial: 01452 754304

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Date: 04/03/2024

Dear

Gloucestershire Constabulary Freedom of Information request FOI_24_0136

On 31/01/2024 you sent an email constituting a request under the Freedom of Information Act asking the following:

On 13th January 2024, it was widely reported that the NPCC has withdrawn its policy and guidance agreed previously at an NPCC meeting on 9/10 December 2021 dealing with the ability of officers to self-identify as the opposite sex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/2024/01/13/police-drop-guidance-allowing-trans-officers-to-strip-search-people-of-the-opposite-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 Whether this force has also withdrawn the NPCC policy above and on what date it did so.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.

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.

Under the Freedom of Information Act 2000 s1, I can confirm that Gloucestershire Constabulary holds some relevant information.

In a consolidated response to questions 1 and 2, I can confirm that the relevant section of the Constabulary's Stop and Search Policy is as follows:

"In order to comply with PACE, officers who identify as transsexual or transgender and who have not been granted a Gender Recognition Certificate (under Gender Recognition Act 2004), must not be involved in the conduct, assistance or observation of any searches, other than those mentioned in 13.1 above. Officers with a Gender Recognition Certificate may lawfully conduct searches that go beyond those mentioned in 13.1 so long as their acquired gender is the same as that of the person being searched."

The History of Changes section of the policy makes no mention of this section of the document having changed from at least 2016.

This would suggest that no changes were made to the document relating to the NPCC introduction of the policy/guidance from December 2021, nor its withdrawal.

With regard to question 3, there is no recorded information to suggest that there has been a specific decision relating to this.

A link to the Constabulary's Stop and Search Policy can be found below:

[Stop and Search Policy - V7.0 \(gloucestershire.police.uk\)](https://gloucestershire.police.uk/stop-and-search-policy-v7.0)

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