

Our Ref: IM-FOI-2019-0696  
Date: 11 April 2019



## FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

I refer to your recent request for information which has been handled in accordance with the Freedom of Information (Scotland) Act 2002.

For ease of reference, your request is summarised below together with the response.

- 1. When did Police Scotland stop recording incidents according to a person's biological sex and instead start recording according to self-identified gender?**
- 2. Who took this decision?**
- 3. Could you please provide copies of Impact assessments?**
- 4. Which organisations and individuals were consulted, providing minutes of all meetings and all evidence submitted?**
- 5. Provide all analysis undertaken on how this would impact on the accuracy of data collection and use?**

Your request for information has now been considered and I can advise you that Police Scotland does not hold any of the information requested by you in relation to gender recording. I can confirm that there was no 'effective date' for this process, rather it has evolved as best practice and ensures all people are treated fairly and with respect, in line with the Police Scotland Code of Ethics.

As such, in terms of Section 17 of the Freedom of Information (Scotland) Act 2002, this represents a notice that the information requested is not held by Police Scotland.

With regards to victims, witnesses and suspects, Police Scotland have always treated people as they present and incidents are therefore recorded according to a person's self-identified gender/sex. We require no evidence or certification as proof of gender identity other than a person's self-declaration, unless it is pertinent to any criminal investigation with which they are linked and it is evidentially critical that we legally require this proof.

Should you require any further assistance please contact Information Management – Highland & Islands Divisional Headquarters on 01463 720508 quoting the reference number given.

If you are dissatisfied with the way in which Police Scotland has dealt with your request, you are entitled, in the first instance, to request a review of our actions and decisions. Your request must specify the matter which gives rise to your dissatisfaction and it must be submitted within 40 working days of receiving this response - either by email to [foi@scotland.pnn.police.uk](mailto:foi@scotland.pnn.police.uk) or by post to Information Management (Disclosure), Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH.

If you remain dissatisfied following the outcome of that review, you are thereafter entitled to apply to the Office of the Scottish Information Commissioner within six months for a decision.

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You can apply [online](#), by email to [enquiries@itspublicknowledge.info](mailto:enquiries@itspublicknowledge.info) or by post to Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS.

Should you wish to appeal against the Office of the Scottish Information Commissioner's decision, there is an appeal to the Court of Session on a point of law only.

As part of our commitment to demonstrate openness and transparency in respect of the information we hold, an anonymised version of this response will be posted to the Police Scotland Freedom of Information [Disclosure Log](#) in seven days' time.

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