| Police Scotland logo | Freedom of Information Response Our reference: FOI 25-1918  Responded to: 01 July 2025 |
| --- | --- |

Your recent request for information is replicated below, together with our response.

## I am a transgender woman (assigned male at birth). Given the recent Supreme Court Ruling and Equality Act 2010, if I were to use a public toilet of my lived gender (the ladies toilet) and another person was to make a complaint to Police Scotland, what action would Police Scotland take, if any?

Police Scotland has no set policy in respect of complaints made by members of the public in relation to a transgender person using toilets as per their lived gender. Each incident must be treated on a case-by-case basis. As such the information sought is not held by Police Scotland and section 17 of the Act therefore applies.

Police Scotland is currently undertaking a review of Sex & Gender. This important work will consider the Supreme Court judgment as well as revised national guidance. I can confirm that the review will consider, terminology, legislative compliance, data recording practices, equality, diversity, inclusion and human rights. As such, it will inevitably look at the interaction of sex and gender with the multiple policies, practices, guidance and Standard Operating Procedures required to cover the various operational and occupational policing situations that arise, including but not limited to single sex spaces. We are working to assess the impact of the ruling and await the EHRC guidance being published to help inform our approach.

If you require any further assistance, please contact us quoting the reference above.

You can request a review of this response within the next 40 working days by [email](mailto:foi@scotland.police.uk) or by letter (Information Management - FOI, Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH). Requests must include the reason for your dissatisfaction.

If you remain dissatisfied following our review response, you can appeal to the Office of the Scottish Information Commissioner (OSIC) within 6 months - [online](http://www.itspublicknowledge.info/Appeal), by [email](mailto:enquiries@itspublicknowledge.info) or by letter (OSIC, Kinburn Castle, Doubledykes Road, St Andrews, KY16 9DS).

Following an OSIC appeal, you can appeal to the Court of Session on a point of law only.

This response will be added to our [Disclosure Log](http://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log) in seven days' time.

Every effort has been taken to ensure our response is as accessible as possible. If you require this response to be provided in an alternative format, please let us know.