| Police Scotland logo | Freedom of Information Response Our reference: FOI 24-1899  Responded to: 6th August 2024 |
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Your recent request for information is replicated below, together with our response.

## Police Scotland are required to comply with the Equality Act 2010 which includes Sex and Gender Reassignment.

## Given that Self-Declared Gender Identity is not codified into law in Scotland.

## What policies or procedures are currently in place, to protect officers, who do not wish to be humiliated or embarrassed, by being required to search persons in custody who Self Identify as the opposite Sex.

The information sought is held by Police Scotland, but I am refusing to provide it in terms of section 16(1) of the Act on the basis that the section 25(1) exemption applies:

“Information which the applicant can reasonably obtain other than by requesting it is exempt information”.

The information sought is publicly available at [Care and Welfare of Persons in Custody SOP](https://www.scotland.police.uk/spa-media/0mfjn3pa/care-and-welfare-of-persons-in-police-custody-sop.pdf)  under section 12 ‘search’.

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.