| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-2457  Responded to: 18 October 2023 |
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Your recent request for information is replicated below, together with our response.

## 1. Does this force intend to fully implement the searching policy as agreed by the NPCC on 9th December 2021 and if so, please identify the implementation date.

## 2. What equality impact assessments have been carried out in advance of implementation with regard to other protected characteristics under the Equality Act 2010, in particular, race, religion or belief, sex, and disability? If not implemented yet, please advise what your intentions are regarding a full equality impact assessment.

## 6. If you do not intend to fully implement the searching policy, please advise in detail what the position of this force will be.

I can advise you that Police Scotland does not hold the above requested information. In terms of Section 17 of the Act, this letter represents a formal notice that information is not held.

By way of explanation, the Code of Practice is currently being reviewed by the PPCW Stop/Search team however there have been no changes made at this time. Should any changes be made an EqHRIA will be completed.

By way of information, Police Scotland’s current searching policy is within the care and welfare Standard Operating Procedure:

[Standard Operating Procedure (SOP) Review Template (scotland.police.uk)](https://www.scotland.police.uk/spa-media/0mfjn3pa/care-and-welfare-of-persons-in-police-custody-sop.pdf)

## 3. Advise in detail what impact you envisage this will have on women’s trust and confidence in the Police and what mitigation you intend to put in place.

4. Advise in detail whether a hate crime or a non-crime hate incident would be created under any circumstances if a woman objects to a male officer searching her and what these circumstances may be.

## 5. Advise in detail what your position will be with regard to female police officers being required to strip search males self-identifying as women and in particular, if you would support those officers having a right to refuse to carry out such searches.

In terms of the Freedom of Information (Scotland) Act 2002 a public authority is only obliged to provide recorded information.

Under Section 8 of the Act, information which requires opinion or a yes/no response is not in essence a valid request.

If you wish to refine your request to seek recorded information your request will be considered and an appropriate response provided.

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.