



Freedom of Information request ref 01/FOI/25/3381  
We received your request on the 13/05/2025.

### **Request**

You asked us:

Under the terms of the Freedom of Information Act 2000, please supply me with full answers to each of the following questions regarding your force's policies in light of the Supreme Court ruling in the For Women Scotland case and subsequent Equality and Human Rights Commission guidance.

Has your force sent any messages to officers or staff regarding the ruling and its implications? If so, please provide a copy

Has your force changed or is it considering changing its policies on use of toilets/changing rooms for transgender people? If so please provide details

Has your force changed or is it considering changing its policy on search of detainees/suspects by transgender officers/staff? If so please provide details

Has your force held any meetings with external LGBT+ groups or internal LGBT+ staff networks since the ruling? If so please provide details of the groups attending and the minutes of the meeting

***We have handled your request under the Freedom of Information Act (FOIA)***

### **Our response:**

Question 1

The following message was posted on the Force Intranet on 13/05/2025:

*Yesterday the National Police Chiefs' Council (NPCC) released their interim guidance for searches in custody relating to members of the transgender community, as well as searches carried out by transgender police officers. The NPCC guidance states that these searches should be carried out by officers of the same biological sex as those being searched, which aligns to the interim guidance we issued following last month's UK Supreme Court ruling.*

*I'm currently running a Policy Review Group and I'm continuing to work with our Staff Networks and interested parties to develop a final policy for BTP.*

*We understand the sensitivity of these issues and are mindful of the diverse perspectives among our colleagues and communities. As a Force, we're committed to treating everyone with fairness, dignity and respect.*

*As we have shared before, if you're in any way affected by this, you can find available support on the Wellbeing Hub, including BTP's Employee Assistance Programme (EAP),*



*which provides independently sourced and confidential 24/7 telephone support. Our staff networks, Inclusion and Diversity team are also on hand to talk to for advice or to voice concerns.*

*If you're approached by organisations or the Media to comment on our transgender and non-binary searches position, please refer any queries to our Media Relations team.*

*Sean O'Callaghan  
Assistant Chief Constable*

Question 2

This aspect is being considered as part of the Policy Review work.

Question 3

The following guidance was circulated to BTP officers and staff:

The following guidance has been disseminated to BTP staff and officers:

***Guidance/lines for FCC staff***

*As an interim measure BTP will undertake searches exposing intimate parts (EIP) or more thorough searches PACE which states that these searches must be conducted with officers of the same biological sex as the person being searched.*

*However, BTP remains committed to serving all members of the public with fairness, dignity and respect, including the Trans community. Therefore, if any individual objects to being searched by any officer, and as far as it is operationally viable, we will make every effort to ensure the officer is replaced by a member of the team that the individual is comfortable with to conduct the search in their place.*

***Direction for frontline if asked by members of the public on BTP's Transgender search position***

*As an interim measure BTP will undertake searches exposing intimate parts (EIP) or more thorough searches PACE which states that these searches must be conducted with officers of the same biological sex as the person being searched.*

*BTP remains committed to serving all members of the public with fairness, dignity and respect. This includes the Trans community. Therefore, if an individual objected to being searched by any officer, and as far as it is operationally viable, we will make every effort to replace the officer with a member of the team that the individual is comfortable with to conduct the search.*

***Direction for custody***

*BTP remain committed to upholding the law and serving all members of the public with fairness, dignity and respect. This includes the Trans community.*

*If BTP need to undertake a search exposing intimate parts (EIP) or more thorough search using the compulsive powers set out by PACE, we can only do so with officers of the same biological sex as the person being searched. If this is not clear or an individual objects to*



*being searched based on their gender identity, we would make every effort to ensure the officer is replaced by another member of the team to conduct the search in their place. This should be done through a discussion with the detainee and officers.*

*If it remains unclear, then consider not searching and using constant watch and early disposal / release if suitable*

Question 4

Meetings have been held with the National LGBT+ Network and the BTP Rainbow Network, as well as representatives from Police SEEN. The meetings were not minuted.