



Date: 10/08/2023

Our ref: 01/FOI/23/011052/U

FREEDOM OF INFORMATION REQUEST REFERENCE NO: 01/FOI/23/011052/U

I write in connection with your request for information dated 15/07/2023, received by Greater Manchester Police (GMP) for the following information:

- 1. Confirmation of whether or not you have adopted the NPCC guidance, approved Dec 2021, on transgender officers being able to strip search members of the opposite sex.***
- 2. If not yet adopted, the date you anticipate it will be implemented by.***
- 3. What consultation (specifying which groups) has been carried out as part of the (potential) implementation process***
- 4. Date and copy of any equality impact assessment carried out as part of this process***
- 5. Copy of your transgender staff / search policy***
- 6. Confirm what your policy will be with regard to any person objecting to a strip search by an officer who they believe is of the opposite sex - confirm whether this will be recorded as a hate crime/non-crime hate incident***
- 7. Confirm what your policy will be with regard to female officers/staff being required to strip search natal males, and whether you will support them not having to carry out these as part of their duties where the individual requires a female officer/staff.***

For clarity, I require this information in respect of; A. Searches outside of the formal custody office setting, usually referred to as 'street searches' and B. Searches in the formal custody office setting.

Result of Searches

Following receipt of your request searches were conducted within Greater Manchester Police (GMP) to locate the requested information and I can confirm the information requested is held by GMP.

However, GMP is not obliged to provide the requested information, as an exemption applies. Section 17 of the Freedom of Information Act 2000 requires Greater Manchester Police, when refusing to provide such information (because the information is exempt) to provide you, the applicant, with a notice which: (a) states that fact, (b) specifies the exemption

in question and (c) states (if that would not otherwise be apparent) why the exemption applies. The information requested is exempt from disclosure by virtue of **Section 22(1)(a) – Information intended for future publication.**

As the exemption used is a qualified exemption a public interest test (PIT) needs to be applied.

Factors Favouring Disclosure

Disclosure of the requested information at the present time would allow the public to have access to the information immediately, would enhance public knowledge of the subject and would promote the accountability and aid transparency of GMP.

Factors Favouring Non-Disclosure

Reviewing and formatting the data at the present time, in response to a Freedom of Information request, would be a duplication of work and would involve a disproportionate use of GMP resources and would not be an economical use of public funds. Additionally, should the data from the upcoming report be released prematurely, there is the possibility that it may contain inaccuracies if it has not been subject to full scrutiny procedures.

Balancing Test

When balancing the Public Interest Test, we must consider whether the Public Interest is best served by the release of the information into the public domain immediately or by the withholding of the information. Arguments need to be weighed against each other. The most persuasive reason for disclosure is the facilitation of transparency of GMP, which needs to be weighed against the strongest negative reason, which, in this case, is the disproportionate use of GMP resources and an uneconomical use of public funds. Therefore, the stance at this time is that the requested data is exempt from disclosure in response to a Freedom of Information request due to its future official publication by GMP. In accordance with the S17 of the Freedom of Information Act 2000, this letter acts as a Refusal Notice