



SCOTTISH POLICE  
**AUTHORITY**  
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## LETTER SENT BY EMAIL ONLY

Audrey Nicoll MSP  
Convenor  
Criminal Justice Committee  
The Scottish Parliament  
EDINBURGH  
EH99 1SP

12 December 2024

CE-110-2024

Dear Convenor

### **POLICE SCOTLAND REVIEW – SELF ID AND THE RECORDING OF SEX AND GENDER**

I refer to an e-mail from your Clerk on 14 November 2024, requesting an update on the Authority's considerations of Police Scotland's Review of Sex and Gender. A [report on the Review was considered by the Authority's Policing Performance Committee](#) on Tuesday 10 December 2024.

The Authority took assurance from Police Scotland's written report and the answers to members' questions particularly around the following key points:

- Recognition of the clarity previously provided in public by the Chief Constable to the Authority on recording in rape cases.
- Police Scotland's commitment to a wide-ranging review focused on a policing perspective, supported by terms of reference to be shared with the Authority members in due course.
- Police Scotland's risk and human rights-based approach and commitment to identify and address any policy or procedure

improvements in short order, ahead of the completion of any review.

- The listening and learning approach which includes considering outcomes from England and Wales, and work that the Authority is aware of seeking international views and learning from Canada, Australia and The Netherlands.
- The open, transparent, and welcoming approach to engaging with interested parties from across the spectrum of views.
- Recognition of ongoing work to address HMICFRS recommendations; the publication of an independent review commissioned by the Department for Science, Innovation and Technology on data, statistics and research on sex and gender; the outcome of a Supreme Court, and the views of SHRC and EHRC.

Police Scotland's review will include the custody and stop and search operational areas amongst others and the Authority is assured that any improvements identified would be implemented at pace. For clarity, the Authority does not approve operational policies – these are a matter for the Chief Constable.

The anticipated timelines for completion of the review is Autumn 2025, however this will be influenced by the outcome of ongoing and external work as outlined above. The Authority is assured by Police Scotland that this timeline will not preclude any immediate improvements identified and required to internal practice or policy.

The Authority will update the Criminal Justice Committee when the review is complete and has been considered at the Policing Performance Committee.

Yours sincerely

A handwritten signature in black ink that reads "Lynn Brown". The signature is written in a cursive, flowing style.

LYNN BROWN OBE  
Chief Executive