

13 July 2018

Freedom of Information Request - Reference No: 20181092

REQUEST

The Home Secretary has statutory powers to routinely request data from every police force in England and Wales. The Annual Data Requirement (ADR) stipulates a list of all the categories of data that may be requested, which individual forces must provide.

I wish to know the following under Freedom of Information:

- 1) What is the explanatory guidance that has been given to South Yorkshire police about what information to record in the 'gender' category of the ADR?**
- 2) In the gender category of the ADR does your police force record a victim or suspects natal sex (the sex they were assigned at birth), their legal sex (the sex on their birth certificate), or their self-declared gender identity?**
- 3) If a male-born person self-identifies as female will this be recorded by you in the ADR as female or male?**
- 4) If a male-born person self-identifies as non-binary will this be recorded by you in the ADR as female or male or something else?**
- 5) If someone is transgender (identifies as a different gender to the sex assigned at birth) is this recorded by you separately in the ADR.**
- 6) If a male-born person self-identifies as female and is arrested/convicted for the crime of rape will you record the gender of the suspect/perpetrator in the ADR as male or female.**

RESPONSE

I approached our Crime Management Data Returns Officer for assistance with your request. She has advised the following in response to Question 1 above:

We report and submit data to the Home Office based upon the Home Office Annual Data requirement.

In line with this requirement we provide Hate crime data to the Home Office, this collection requires offences aggravated by hate or prejudice based on the 5 strands outlined below -

*Racial
Religion
Sexual Orientation
Transgender
Disability*

In the case of 'Transgender' the collection is based upon the aggravating factor being applied to the crime and not how the victim's gender is recorded.

For further guidance regarding the data requirements please refer to the below link

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/683617/police-annual-data-requirement-1819.pdf

In light of this response, I contacted our Fairness, Inclusion and Equality Lead for further guidance on this and the remaining questions:

- 1. SYP has received no explanatory guidance on how to record gender for ADR purposes*
- 2. Their self-declared gender identity is the one recorded*
- 3. A person self-identifying as female will be recorded as female*
- 4. A person self-identifying as non-binary can be recorded as neither male nor female. The victim field can record a person as male, female, unknown or unspecified.*
- 5. Transgender status is not recorded separately in the ADR. The only exception to this is where a victim, having been attacked or victimised because of a transgender status, can be shown to be the victim of transgender hate.*
- 6. In these circumstances the person will be recorded according to the gender in which they self-identify.*