| Police Scotland logo | Freedom of Information ResponseOur reference: FOI 25-2517Responded to: 24 September 2025 |
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I refer to your recent request for information which has not been fully repeated here due to the fact that it names specific individuals.

Please note, this FOI request only addresses procedure related questions.

Any other questions raised will be answered by The Lothians and Scottish Borders Sex Offender Policing Unit.

1. **Is implying offending has already happened, reflective of Police Scotland operating procedures and policies e.g. "prevent you from repeat offending"?**
2. **Is not sharing the "potentially dangerous person" classification at first meeting (and a few visits subsequently) and instead using the words "I have been asked to visit by my Superintendent" permitted under Police Scotland operating procedures and policies?**

The information sought is not held by Police Scotland and section 17 of the Act therefore applies.

By way of explanation, there is no set guidance which would direct for specific language to be used when speaking to an individual considered a Potentially Dangerous Person (PDP).

1. **Is asking an officially accused person for their social media passwords, whilst they are unaccompanied and without a solicitor present, and when they were asked same at a previous Police interview whilst arrested for questioning, permitted under Police Scotland operating procedures and policies?  Is it permitted under law?**

There are no laws preventing officers from asking these questions when speaking with any member of the public, or when an individual is considered a PDP.

1. **Am I permitted to request a copy of the relevant section of the Police Scotland operating procedures around these visits?**
2. **Where on the Police Scotland website can I view guidance on Potentially Dangerous Person (PDP) on how its applied by Police Scotland?**

The information sought is not held by Police Scotland and section 17 of the Act therefore applies.

By way of explanation, Police Scotland do not have a Potentially Dangerous Person SOP.

Police Scotland do provide general guidance to officers around Potentially Dangerous Persons (PDP). Guidance to officers is based on guidance published by the College of Policing and which is publicly available, [Potentially dangerous persons | College of Policing](https://www.college.police.uk/app/major-investigation-and-public-protection/managing-sexual-offenders-and-violent-offenders/potentially-dangerous-persons).

A PDP is not defined in statute, a PDP is an individual who does not fit one of the three Multi Agency Public Protection Arrangements (MAPPA) categories of offenders (Registered Sex Offender, Restricted Patient or Other Risk of Serious Harm Offender) but reasonable grounds exist for believing they present a risk of serious harm that requires active management to manage or mitigate risk.

There is no specific criteria which dictates which individuals should be managed as a PDP due to the variances in the individual circumstances of each case and the specific risks involved. This is a decision which is made by Divisional Detective Superintendents in Scotland based on the information presented to them at the time.

All individuals managed as a PDP, will be created on the Violent and Sex Offender Register (ViSOR) and managed by the relevant Divisional Sex Offender Policing Unit.

As a PDP does not meet the MAPPA criteria and therefore will not be subject of a MAPPA meeting. However, given the assessed risk posed by a PDP, multi-agency information sharing and management may be required. This will be dependent on the individual circumstances and associated risks.

**Questions 4, 5, 6 and 9**

The above questions have not been repeated here due to the fact that they name specific individuals.

I am refusing to confirm or deny whether the personal information sought exists or is held by Police Scotland in terms of section 18 of the Act. Section 18 applies where the following two conditions are met:

* It would be contrary to the public interest to reveal whether the information is held.
Whilst we accept that you may have a particular personal interest in being informed as to whether the information sought is held, the overwhelming public interest lies in protecting individuals’ right to privacy and their expectation of confidence as regards their information.
* If the information was held, it would be exempt from disclosure. In this instance, sections 38(1)(b) and 38(1)(2A) of the Act apply insofar as you have requested *third party* personal data, the disclosure of which would contravene the data protection principles set out in the Act.

I understand that this response may be confusing in the circumstances, but I would stress that this is the response under FOI only. You will receive a response to these questions from The Lothians and Scottish Borders Sex Offender Policing Unit.

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 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](https://www.foi.scot/appeal), by email 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.