| Police Scotland logo | Freedom of Information ResponseOur reference: FOI 24-1655Responded to: 29 July 2024 |
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Your recent request for information is replicated below, together with our response.

Protecting the public is a top priority for Police Scotland. In Scotland Multi Agency Public Protection Arrangements (MAPPA), provides a comprehensive response to a complex issue, using professional assessment and management to properly target resources at those who pose a risk to the public.

Police Scotland works in partnership with a number of agencies through MAPPA to ensure that all Registered Sex Offenders are robustly managed within the community.  While we can never eliminate risk entirely, we want to reassure communities that all reasonable steps are being taken to protect them.

**• Of those who are currently under MAPPA supervision in Scotland, how many are subject to a Sexual Harm Prevention Order (SHPO)/ sexual offence prevention order (SOPO)?**

As of 04/07/2024 there were 664 nominals in Scotland with a live Sexual Harm Prevention Orders (SHPO’s) or Sexual Offence Prevention Orders (SOPO’s).

• 307 Sexual Harm Prevention Orders (SHPO)

• 8 Interim Sexual Harm Prevention Orders (Interim SHPO)

• 348 Sexual Offence Prevention Orders (SOPO)

• 1 Interim Sexual Offence Prevention Orders (Interim SOPO)

Please note, on application by the Chief Constable an Interim SHPO can be granted by the Court and for its duration will have the same effect as a full SHPO. It must be made for a fixed period, as specified in the Order. Interim SHPOs can be varied, renewed or discharged.

**• How many sexual harm prevention orders / sexual offence prevention orders have been successfully obtained?**

Orders can be obtained in one of two ways, criminally at the conclusion of a trial and issued as part of the sentence and civilly on application to the courts by Police at any time during an offender’s management.

Please note, criminal SHPO granted on conviction, or at sentencing for a relevant offence where the court is satisfied that it is necessary to protect the public or a particular member of the public from sexual harm. This is commonly referred to as a ‘SHPO on Conviction’ or ‘Criminal SHPO’.

By Civil Summary Application. The person concerned must be a qualifying offender. A qualifying offender is someone who has a conviction for a relevant offence or been found not guilty of such by reason of insanity or found to have been under a disability and to have done the act charged.

Running a check of the Violent and Sex Offender Register (ViSOR) system would not allow for movement of offenders in and out of Scotland and would only provide current, live orders as detailed above, and not those that have expired or since moved out with Scotland, therefore, the information sought is not held by Police Scotland and section 17 of the Act applies.

**• How many sexual harm prevention orders / sexual offence prevention orders have been refused by a sheriff?**

Unfortunately, I estimate that it would cost well in excess of the current FOI cost threshold of £600 to process your request. I am therefore refusing to provide the information sought in terms of section 12(1) of the Act - Excessive Cost of Compliance.

By way of explanation, the outcome of applications for SOPO’s/ SHPO’s are not separately recorded. To accurately answer your question, each application would have to be manually reviewed to determine the outcome. As such, this is an exercise which would exceed the cost limit set out in the Fees Regulations

**• How many SHPOs/SOPs have been obtained against a person who is not on the sex offenders register?**

As explained in point 2, orders are sought and granted against qualifying offender with a relevant offence (in Scotland a relevant offence is one which is listed at paragraphs 36-60 of Schedule 3, Sexual Offences Act 2003) which would make them subject to Sex Offender Notification Requirements (SONR), and as such, are managed on the ViSOR, commonly referred to as being on the ‘sex offenders register’.

All offenders with SHPO / SOPO would be on ‘the register’.

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](http://www.itspublicknowledge.info/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.