| Police Scotland logo | Freedom of Information ResponseOur reference: FOI 24-2469Responded to: 23 October 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.

**1. How many people have been removed from the sex offenders register and then re-offended?**

Your request has been interpreted as seeking the number of Registered Sex Offenders (RSOs), who were removed from the sex offenders register and then committed a further sexual offence.

I must unfortunately advise, that interpreting your request as above, 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 Violent & Sex Offender Register (ViSOR) is the UK database used to record information concerning the management of Registered Sex Offenders.  Although information of re-offending may be held in the database, the database is not a crime recording system and there is no easy way of accurately extracting any potential data without manually interrogating each record and cross checking with the Criminal History System.  As such, this is an exercise which would exceed the cost limit set out in the Fees Regulations.

**2. How many applications a year are there from people wishing to be removed from the sex offenders register?**

**3. How many applications are successful each year to be removed from the sex offenders register?**

In Scotland, it is the responsibility of the Police to review indefinite notification requirements and as such there is no requirement for an individual to make an application. Therefore, the information sought is not held by Police Scotland and section 17 of the Act applies.

By way of explanation, persons subject to notification requirements for an indefinite period (often referred to as lifetime registration) are subject to a review within defined timescales as prescribed by the Sexual Offences Act 2003 (Remedial) (Scotland) Order 2011 which came into force on 28 January 2011.

As per this legislation every person subject to the notification requirements of the Sexual Offences Act 2003 in Scotland will be subject to a review within:

• if relevant person was aged 18 or over on the relevant date (date of conviction disregarding any time spent imprisoned / detained in hospital / or outside the UK before the relevant person first notified information to the police as listed within the Sexual Offences Act 2003 (Remedial) (Scotland) Order 2011), 15 years after that date, or

• for persons aged under 18 years of age on the relevant date (date of conviction disregarding any time spent imprisoned / detained in hospital / or outside the UK before the relevant person first notified information to the police as listed within the Sexual Offences Act 2003 (Remedial) (Scotland) Order 2011) 8 years after that date.

Following review, the Chief Constable must either:

• make a notification continuation order in respect of the person, making that person subject to the notification requirements for a fixed period, or

• notify the person they cease to be subject to the notification requirements of the Sexual Offences Act 2003.

**4. Please can you provide the crime(s) of each sex offender who has been removed from the sex offender and the reason given for their removal for the last two years. (By this I mean the offence that led to them being placed on the register).**

**Please provide the information in a yearly breakdown. (2022 and 2023) Please give the date of removal and date of offence for each person removed.**

Unfortunately, I estimate that it would cost 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.

To establish this information, it would require manual interrogation of the ViSOR system as the system is not designed to provide this information from a simple search.  ViSOR is a dynamic system used by all UK Police Forces and partner agencies to record information relating to all Registered Sex Offenders.  There are a number of reasons why an offender may be removed from the sex offenders register and could include the end of their notification period, the end or early discharge of their Community Payback Order in Scotland, following assessment of their indefinite notification requirements or death are some examples.  As such, this is an exercise which would exceed the cost limit set out in the Fees Regulations.

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.