| Police Scotland logo | Freedom of Information Response Our reference: FOI 24-0616  Responded to: 15 March 2024 |
| --- | --- |

Your recent request for information is replicated below, together with our response.

**How many offenders have been registered since the register was set up in Scotland, and how many remain on it?**

The information sought is not held by Police Scotland as such, section 17 of the Act applies.

By way of explanation, the register you are referring to is not a Police Scotland system.

It is a UK wide database created by the Home Office called Violent and Sex Offender Register (ViSOR). Police Scotland do not have the facility to identify how many Registered Sex Offenders (RSO) have been registered on it since it was set up and how many remain on it.

However, to be of assistance, Police Scotland publish data regarding the number of registered sex offenders residing in Scotland:

[Registered Sex Offender (RSO) Numbers - Police Scotland](https://www.scotland.police.uk/about-us/what-we-do/specialist-crime-division/sex-offender-policing-units/registered-sex-offender-rso-information/)

**Of those who are no longer on the register, how many have come off it because they were ordered to register for a period of time, how many challenged successfully their registration, and how many have died?**

To determine how many RSO’s are no longer on the register, likewise, to identify if they have died would require a manual assessment of each archived RSO record.

There are a significant number of archived records from Police Scotland and the 8 legacy forces and 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.

To be of assistance, the length of time a registered sex offender is subject to the Sex Offender Notification Requirements is dictated by the sentence issued for that conviction and age at time of conviction.

Please see below table which includes notification periods for different types of offenders:

| Description of relevant offender | Notification period |
| --- | --- |
| A person who, in respect of the offence, is or has been sentenced to imprisonment for life, to imprisonment for public protection under section 225 of the Criminal Justice Act 2003, to an indeterminate custodial sentence under Article 13(4)(a) of the Criminal Justice (Northern Ireland) Order 2008 or to imprisonment for 30 months or more | An indefinite period beginning with the relevant date |
| A person who, in respect of the offence, has been made the subject of an order under section 210F(1) of the Criminal Procedure (Scotland) Act 1995 (order for lifelong restriction) | An indefinite period beginning with that date |
| A person who, in respect of the offence or finding, is or has been admitted to a hospital subject to a restriction order | An indefinite period beginning with that date |
| A person who, in respect of the offence, is or has been sentenced to imprisonment for a term of more than 6 months but less than 30 months | 10 years beginning with that date |
| A person who, in respect of the offence, is or has been sentenced to imprisonment for a term of 6 months or less | 7 years beginning with that date |
| A person who, in respect of the offence or finding, is or has been admitted to a hospital without being subject to a restriction order | 7 years beginning with that date |
| A person within section 80(1)(d) (Cautioned for an offence in England & Wales) | 2 years beginning with that date |
| A person in whose case an order for conditional discharge or, in Scotland, a community payback order imposing an offender supervision requirement, is made in respect of the offence | The period of conditional discharge or, in Scotland, the specified period for the offender supervision requirement |
| A person of any other description (i.e. fine, Restriction of Liberty Order) | 5 years beginning with the relevant date |

**How many offenders have come off the register for any reason other than death and had to re-register at a later date for re-offending?**

In accordance with the similar answer above, again there is no straight forward system or search facility that would allow us to provide a response, it would require each case to be individually reviewed therefore, 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.

**In all categories, can you tell me how many female offenders have featured and how many are currently on the register?**

As per the response to question 1, the information sought is not held by Police Scotland as such, section 17 of the Act applies.

As noted above, Police Scotland have no facility to identify how many Registered Sex Offenders (RSO) have been registered on the database.

To be of assistance however, we can confirm that there are currently 67 female registered sex offenders residing in Scotland.

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](mailto:foi@scotland.police.uk) 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](mailto:enquiries@itspublicknowledge.info) 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.