

## Information About the Sex Offender Register

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If your relative or friend has been convicted of a sex offence, their details will be held on the Sex Offender Register. This may have some implications for you and other members of your family, particularly anyone under the age of 16, who live in your home.

This information sheet explains how the Sex Offender Register works. If you would like to find out more, contact the Families Outside Support & Information Helpline on 0500 839383. This is a free, confidential service which may be able to help with any further questions you might have.

### What is the Sex Offender Register?

The Sex Offender Register is held by the police and contains the details of anyone convicted, cautioned or released from prison for sexual offences. Information kept by the police includes passport number, national insurance number, bank account details, DNA, fingerprints and photographs. The Sex Offender Register does not include anyone convicted before 1997.

### How do the police know where sex offenders are?

Tighter legal reforms and access to more information over the past few years has made it easier for the police to locate sex offenders. The police are informed by the courts following a conviction, and both the prisons and social work services follow an offender's release back into the community. The police also have increased power to search the homes of sex offenders.

All convicted sex offenders must register with the police within three days of their conviction (if cautioned) or release from prison, imprisonment or service detention, discharge from hospital, or return to the UK.

**It is an offence** for those convicted of a sexual offence if they do not inform the police within three days of their conviction or release. It is also an offence if they change their name or address without permission, or if they fail to inform the relevant agencies that they are planning on spending 7 days or more away from their home. Convicted sex offenders have to re-register with their local police every 12 months.

Having more information means it is easier for the police to identify and find the small number of sex offenders who try to evade the agencies responsible for their management (eg police or Social Work).

If an offender refuses to obey the legal requirements of the Sex Offender Register, they are liable to a prison sentence of up to five years.

### What else do registered sex offenders need to do?

Anyone on the Sex Offender Register needs to let the police know if they plan to travel outside the UK. If they do not inform the police, this is also an offence and can result in a prison sentence.

People convicted of a sex offence abroad (whether British citizens or foreign nationals) who then come to the UK also need to register with the police (as if they had committed the crime in this country).

The police can photograph offenders every time they register and ALL police forces exchange information about the movement of offenders. There is a national computerised database in place for this purpose.

### High Risk Offenders

Offenders due to be released from prison and considered to be at highest risk will undergo further checks. **MAPPA (Multi-Agency Public Protection Arrangements)** brings together Police, Scottish Prison Service, Social Work Services and other authorities, such as local

authorities, housing authorities and NHS Health Boards, working together to assess the potential risk each offender may pose. The agencies will agree a plan for the individual offender and arrangements put in place to manage this, and the offender will be given strict licence conditions. Offenders can be sent back to prison if they fail to co-operate.

### **How long will someone remain on the Sex Offender Register?**

This depends on the offence. Those placed on the list with a prison sentence of:

- **30 months or more**, are placed on the Register until further notice.
- between **6 and 30 months** will remain on the Register for 10 years.
- for those sentenced to **6 months or less**, the time on the Register is 7 years.

For those placed on probation, they will normally be on the Register for the length of that probation order. And for those individuals convicted and **cautioned for a sexual offence** but not given a prison sentence, they will be placed on the Register for two years.

If the offender is under 18 years old when convicted, the time placed on the Sex Offender Register is halved.

### **What happens when someone is removed from the Sex Offender Register?**

Anyone who was previously on the Sex Offender Register and who then applies for work will be required to have an Enhanced Criminal Records check. This contains all conviction information and any other information considered to be relevant by the police or the other agencies involved. It is a legal requirement for anyone who works with vulnerable people and would identify who had been on the Sex Offender Register or who had any previous convictions or cautions, to a potential employer. It would also provide information about any allegations and/or concerns.

### **Disqualified from Working with Children List**

This is a list of people considered to be unsuitable to work with children. The list applies to people who have been convicted of previous harmful behaviours towards children

(which could include sexual harm) and who are thought to be a considered risk.

### **Shared Information**

Information about the identity of known sex offenders can now be shared with certain members of the public if an offender is thought to pose a specific threat to them or their immediate family.

### **Who gets told about the movements of Sex Offenders?**

Usually a decision will be made on an individual basis by MAPP (Multi-Agency Public Protection) agencies, led by the police and social work. Any decision taken to reveal the movements of offenders will be based on a risk assessment. This will take into consideration the potential consequences of disclosure to everyone concerned, including the offender and family.

Head teachers, doctors, youth leaders, sports club managers and others, including relevant people within housing authorities, are notified of the existence of a local sex offender on a confidential basis.

If you are unsure or worried about the safety of a child, young person or vulnerable adult, please contact your local **Police or Social Work Services** or telephone the **National Child Protection Helpline** 0800 022 3222.

### **More Information**

For further information on the rights of your family member regarding the Sex Offender Register go to: [www.scotland.gov.uk](http://www.scotland.gov.uk)

If you are a victim and have experienced a sexual crime either as a child or an adult, contact your local police station or Victim Support Scotland (0845 6039213).

[www.victimsupportsco.org.uk](http://www.victimsupportsco.org.uk)

If you are worried about the possibility that a child or children may be in danger, speak with the police, local Social Work Services, Health Visitor or telephone the National Child Protection Helpline on 0800 022 3222.

[www.infoscotland.com/childprotection](http://www.infoscotland.com/childprotection)

**If a member of your family has been accused of a sexual offence and is facing a prison sentence, contact the Support & Information Helpline on freephone 0500 839383.**

[www.familiesoutside.org.uk](http://www.familiesoutside.org.uk)