

Families Outside - Support & Information Helpline

T **0800 254 0088**

E support@familiesoutside.org.uk

W www.familiesoutside.org.uk

Txt text FAMOUT then your message to 60777

Chat webchat via www.familiesoutside.org.uk

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11. Information about the Sex Offender Register

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 in Scotland.

What is the Sex Offender Register?

No single register of people convicted of an offence of a sexual nature exists. People convicted of an offence of a sexual nature are subject to notification requirements and this is known as the Sex Offenders' Register. Anyone convicted of an offence of a sexual nature is required to give the police their details.

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 people convicted of offences of a sexual nature. The police are informed by the courts following a conviction, and both the prisons and social work services follow a prisoner's release back into the community. The police also have increased power to search the homes of people convicted of a sexual offence.

All people convicted of a sex offence 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 not to 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. People convicted of a sexual offence 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 individuals who try to evade the agencies responsible for their management (e.g. police or Social Work). If someone convicted of a sexual offence 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 people who have committed sexual offences 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 Prisoners

Prisoners due to be released from prison and considered to be high 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 the person may pose. The agencies will agree a plan for the individual and arrangements put in place to manage this, with the person being given strict licence conditions. People 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.

Those placed on probation, will normally be on the Register for the length of that probation order. Individuals convicted and cautioned for a sexual offence but not given a prison sentence, will be placed on the Register for two years.

If a person 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 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 people convicted of sexual offences can now be shared with certain members of the public if the person convicted is thought to pose a specific threat to them or their immediate family.

✚ Who gets told about the movements of people who have committed of a sexual offence?

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 people who have been convicted of a sexual offence 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 in confidence, of anyone living in the local community who has been convicted of a sexual offence.

✚ Further Information

If you suspect someone close to you is showing signs of abusive behaviour, contact **Stop it Now!** on **0808 1000 900** or visit www.stopitnow.org.uk The Helpline gives all adults, including those at risk of re-offending, totally confidential information, advice and support to prevent sexual offending.



For further information on the rights of your family member regarding the Sex Offender Register go to:

<http://www.gov.scot/Topics/Justice/public-safety/protection/sex-offenders/Information-Strategy2/123456>

If you are a victim and have experienced a sexual crime either as a child or an adult, contact your local police station or you can also speak to Victim Support Scotland on **0845 6039213** visit www.victimsupportsco.org.uk



If you are worried about the possibility of a child who may be in danger, speak with the, local Social Work Services, Health Visitor or telephone the National Child Protection Helpline on **0800 800 555**

If a child is at immediate risk, concerns should be reported to the local police.

The 'With Scotland' website www.withscotland.org has a searchable database of all local authorities' contact details.



The NSPCC Helpline is a 24/7 national line, with trained call handlers who can pass information on to police or Social Services.