| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-1434  Responded to: 16th June 2023 |
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Your recent request for information is replicated below, together with our response.

## 1. How many polygraph tests were conducted by the police force for each year between (and including) 2018 and 2022?

## 2. In 2022, how many polygraph tests were conducted by the police force on people not guilty of charges related to sex offenses, domestic abuse or terrorism?

## 3. In 2022, how many people formally requested to be removed from the sex offenders register? How many of those people were subsequently given a polygraph test?

Polygraph testing is not used by Police Scotland however, in order for us to provide a definitive response, we would have to individually review the records associated with each and every crime report recorded for the time period requested.

As you may be aware the current cost threshold is £600 and I estimate that it would cost well in excess of this amount to process your request.

As such, and in terms of Section 16(4) of the Freedom of Information (Scotland) Act 2002 where Section 12(1) of the Act (Excessive Cost of Compliance) has been applied, this represents a refusal notice for the information sought.

In regards to the first part of Question 3 relating to requests for removal from the Sex Offenders Register, I can advise you that there is no mechanism in Scotland that allows RSO’s to apply to Police Scotland to be removed from ViSOR.

The application of the Notification Requirements, commonly referred to as Sex Offender Notification Requirements (SONR), is not a sentencing option for the court but an automatic consequence of conviction for a relevant sexual offence.

Any offender who has received a conviction or finding, in respect of a specified sexual offence under Schedule 3 of the Sexual Offences Act 2003, is automatically subject to the [Notification Requirements of Part 2 of the Sexual Offences Act 2003](http://www.legislation.gov.uk/ukpga/2003/42/part/2) and identified as a Registered Sex Offender (RSO).

The length of time a RSO is subject to the SONR is dictated by the sentence issued for that conviction and age at time of conviction.

The notification periods are dictated by Section 82 of the Sexual Offences Act 2003: [Section 82 of the Sexual Offences Act 2003](http://www.legislation.gov.uk/ukpga/2003/42/section/82)

Where an offender is under 18 at time of conviction, then the length of time they are subject to the SONR as described in Section 82 Sexual Offences Act 2003 is halved.

This does not apply to Community Payback Order Disposals.

RSOs are removed from the Register by virtue of:

* Their defined period on the Register expiring.
* Indefinite Review in respect of Sexual Offences Act 2003 (Remedial) (Scotland) Order.
* Successfully appealing conviction which placed them on the Register.
* Death

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.