| Police Scotland logo | Freedom of Information Response Our reference: FOI 24-2257  Responded to: 20 September 2024 |
| --- | --- |

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

Police Scotland is committed to keeping people safe.

Our focus is on the protection of those at risk of harm through prevention and early intervention. The focus is also on the robust investigation of those who pose such a risk.

We fulfil our role as a Responsible Authority in the delivery of multi-agency public protection arrangements (MAPPA). We provide effective and efficient management of registered sex offenders (RSO’s) and other risk of serious harm offenders.

This is achieved through each of Police Scotland’s 13 local policing divisions having a dedicated Sex Offender Policing Unit.

They have specialist officers working in partnership to manage and reduce the risk posed by such offenders.

Specialist Crime Division, National Sex Offender Policing Unit, provides support to divisional units and is responsible for governance, audit and compliance. This is in respect of all areas of Police Scotland sex offender policing business.

**I would like to know how many registered sex offenders in Scotland are subject to unannounced home visits by SOPU officers, with each of the following frequencies:**

**(1) annual**

**(2) six-monthly**

**(3) three-monthly**

**(4) monthly**

**(5) fortnightly.**

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.

RSOs may be subject to unannounced home visits as part of their management and monitoring in the community, the frequency of any visits will be determined on an individual basis and tailored to the specific needs and risks associated with each offender. As of the 1st of September 2024, there were 5,106 Registered Sex Offenders recorded in the community in Scotland, to provide a response would require manual interrogation of each record which would fall within the cost exemption category.

**I would also like to know what the purposes of these unannounced visits are**

As mentioned, unannounced home visits and the purpose of these visits are tailored to the specific needs and risks associated with each individual offender. There is no one prescriptive purpose to unannounced home visits, examples may include to check compliance with legislation and court orders or for risk assessment purposes but there is no prescriptive list for the purpose for unannounced visits.

**whether Police Scotland has a policy on alerting RSOs that they have tried to make an unannounced visit but not been able to gain entry (e.g. if the RSO is not at home)**

The information sought is not held by Police Scotland and section 17 of the Act therefore applies. Police Scotland do not have a policy concerning alerting RSOs that a home visit has been attempted.

**whether Police Scotland has a policy on when to seek warrants for entry under s.96A Sexual Offences Act 2003 - is a warrant only sought when there is clear evidence of lack of co-operation/refusal of entry by the RSO, is it sought as standard after two failed attempts to gain entry (even if the RSO is out at the time of the attempted visit), or is the policy something different?**

The information sought is not held by Police Scotland and section 17 of the Act therefore applies.

Section 96A Sexual Offences Act 2003 provides that a Sheriff may grant a warrant authorising any constable of the relevant force to enter premises, and if necessary use reasonable force, to examine and search those premises, and the things in them, for the purpose of assessing the riskof the offender committing a sexual offence.

The sheriff can grant such a warrant if satisfied that on more than one occasion, a constable of the relevant force has attempted to examine and search the premises and the things in them for the purpose of assessing the risk of the offender committing a sexual offence and has been unable, whether by not being able to search and examine the premises and the things in them, or by not being able to obtain entry to the premises to do so.

Police Scotland does not have a policy on when to seek warrants under S.96A Sexual Offences Act 2003. Whether Police Scotland seek a warrant under this legislation will be considered on a case-by-case basis and whether an officer of the rank of Superintendent believes the criteria for seeking a warrant has been met as outlined in the legislation.

**whether there is a connection between the frequency of the visits and any "risk level" perceived to be attached to that RSO.**

Yes, there is connection between the frequency of visits and the level of risk. As outlined above, the frequency of any visits will be determined on an individual basis and tailored to the specific needs and risks associated with each offender.

**whether choosing to remain silent during unannounced home visits increases that risk level and/or whether so choosing increases the frequency of the home visits**

The information sought is not held by Police Scotland and section 17 of the Act therefore applies. This would be determined on a case-by-case basis as no two offenders are the same. Levels of risk or frequency of visits are considered on an individual basis and will be tailored to the specific needs and risks associated with each offender. If an offender chooses to remain silent during an unannounced visit will be considered for risk assessment purposes and risk management planning.

**whether RSOs should according to Police Scotland be informed of the frequency of the unannounced visits and of any associated risk level upon request**

Registered Sex Offenders are not informed of the frequency of unannounced home visits.

**whether any risk level and/or visit frequency attached to each RSO is reviewed periodically**

Yes, levels of risk and frequency of visits are constantly under review due to the dynamic and uncertain nature of risk. Each individual RSO’s level of risk will be assessed periodically, this period will be determined on a case-by-case basis and will also be supported by local guidance and agreement in the local MAPPA areas.

To be of assistance, the following link provides further information and guidance on the assessment and management of risk:

[Multi-Agency Public Protection Arrangements (MAPPA): national guidance - gov.scot (www.gov.scot)](https://www.gov.scot/publications/scottish-government-multi-agency-public-protection-arrangements-mappa-national-guidance/)

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.