| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-0015  Responded to: 23rd January 2023 |
| --- | --- |

Police Scotland is committed to keeping people safe. Our focus is on the protection of those at risk of harm through prevention, early intervention and the robust investigation of those who pose such a risk. We fulfil our role as a Responsible Authority in the delivery of MAPPA providing 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 (SOPU) with specialist officers working in partnership to police and reduce the risk posed by such offenders.

While we can never eliminate risk entirely, we want to reassure communities that all reasonable steps are being taken to protect them

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

**I would be grateful if you are able to provide the following information in relation to offenders managed under MAPPA in the community in Scotland.**

**For information:**

**I’ve requested the data to be provided as of 31 December 2022. If this is not possible without incurring excessive costs, could you please provide it for 31 March 2022 instead, which I understand is the end of the reporting period for the last MAPPA annual reports and the date for which some ‘snapshot’ data has already been collated.**

**Also, prior to submitting this request, I tried to obtain some of the data I’ve requested from the MAPPA annual reports for 2021-22. Unfortunately, only 6 of the 10 MAPPA regions have published full data sets and aggregate data on the full data set is not available in the national overview report.**

**1. As of 31 December 2022, the total number of offenders managed in each MAPPA category:**

**Category 1**

**Category 2**

**Category 3**

The information requested is held on our ViSOR system which does not allow statistical figures to be collected retrospectively. The figures within our response are therefore taken as of 01/01/2023 for all questions.

Please find the requested figures below:

* Category 1 – 6633
* Category 2 – 304
* Category 3 – 15

I would ask you to note that unlike Categories 1 and 2, Police Scotland are not responsible for the creation of ViSOR records relevant to Category 3 offenders as this responsibility lies with Local Authorities. The figure provided is the number of records held on ViSOR and may not reflect the true number of Category 3 offenders being managed under MAPPA in Scotland.

**The following questions (2 and 3) only relate to MAPPA Category 1 Offenders.**

**2. As of 31 December 2022, the total number of Category 1 offenders managed at each MAPPA Level:**

**Level 1**

**Level 2**

**Level 3**

Please find the requested figures below:

* Level 1 – 6187
* Level 2 – 398
* Level 3 – 30

**3. As of 31 December 2022, the risk level of Category 1 offenders managed at each MAPPA Level:**

**Level 1:**

**Very high risk**

**High risk**

**Medium risk**

**Low risk**

**Level 2:**

**Very high risk**

**High risk**

**Medium risk**

**Low risk**

**Level 3:**

**Very high risk**

**High risk**

**Medium risk**

**Low risk**

Please find the requested figures below:

Level 1

• Very High – 32

• High – 872

• Medium – 2492

• Low – 2791

Level 2

• Very High – 33

• High – 275

• Medium – 68

• Low – 22

Level 3

• Very High – 20

• High – 8

• Medium – 2

• Low – 0

**4. Regarding question 3 above, if it’s not possible to break the data down as I’ve requested without incurring excessive costs, could you please provide the total number of MAPPA offenders as of 31 December 2022 managed at each of the following:**

**Very high risk**

**High risk**

**Medium risk**

**Low risk**

As a breakdown to question 3 was provided, this question is not applicable.

**5. As of 31 December 2022, the total number of MAPPA Category 1 Offenders who are recorded as:**

**Male**

**Female**

**Other**

**Data not held**

Please find the requested figures below which provides a breakdown of the sex recorded for nominals on ViSOR:

* Male – 6592
* Female – 51
* Other – 4
* Genderless – 0
* Data not held – 0

**The following question (6) relates to all categories of MAPPA Offender.**

**6. As of 31 December 2022, the total number of preventative orders in force as follows:**

**Sexual Offences Prevention Order (SOPO)**

**Risk of Sexual Harm Order (RSHO)**

**Notification Order**

**Foreign Travel Order (FTO)**

**Sexual Risk Order (SRO)**

**Sexual Harm Prevention Order (SHPO)**

Please find the requested figures below:

* Sexual Offence Prevention Order (SOPO) – 473
* Risk of Sexual Harm Order (ROSHO) – 16
* Notification Order – 141
* Foreign Travel Order – 3
* Sexual Risk Order (SRO) – 2
* Sexual Harm Prevention Order (SHPO) – 205

**Please note:**

**I’ve been unable to confirm whether sections 11 and 27 of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016, which introduced SHPOs and RSOs in Scotland, have been commenced. I would be grateful if you could confirm the status of these sections.**

SHPO’s and SRO’s have not been commenced in Scotland.

**7. In relation to risk assessment, I understand that there are currently no actuarial risk assessment tools approved for use with female offenders managed under MAPPA. I would be grateful if you could confirm if this is correct.**

This is correct.

**8. Are MAPPA Offenders risk assessed according to birth sex (ie biological sex) or according to self-identified gender - ie would an offender whose birth sex is male but who self-identifies as a woman be risk assessed as male or female?**

As the actuarial risk assessment tools available to Police Scotland are validated only for male offenders, in the case of those who self-identify as or are transitioning to another gender, current guidance provides that the individual is actuarially assessed based on the gender in which they committed their offences.

**9. Regarding question 8 above, if offenders are risk assessed according to their ‘birth sex’, would the fact that an offender had a gender recognition certificate make a difference - ie does ‘acquired gender’ on a GRC take precedence over birth sex for the purposes of risk assessment?**

As the answer to question 8 is not that individuals are assessed according to their ‘birth sex’ this questions is not applicable.

To be of some assistance however I can confirm that there are currently no actuarial risk assessment tools available to Police Scotland validated for use with individuals who have obtained a Gender Recognition Certificate. No guidance has yet been provided to Police Scotland regarding how currently available tools will be used where a Gender Recognition Certificate has been granted under The Gender Recognition Reform (Scotland) Bill.

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.