

POLICY NOTE

THE SEXUAL OFFENCES ACT 2003 (PRESCRIBED POLICE STATIONS) (SCOTLAND) REGULATIONS 2014

SSI 2014/147

1. The Sexual Offences Act 2003 (Prescribed Police Stations) (Scotland) Regulations 2014 (“the Regulations”) are to be made in exercise of the power conferred by section 87(1)(a) of the Sexual Offences Act 2003 (“the 2003 Act”). The Regulations are subject to negative procedure.

Policy Objectives

2. In Scotland a sex offender becomes subject to the notification requirements of Part 2 of the 2003 Act if that person is convicted of an offence listed in Schedule 3 to the 2003 Act, or where another finding contained in section 80(1) of the 2003 Act is made against them, or if a civil preventative order (e.g. sexual offences prevention orders as provided by sections 104 to 109 of the 2003 Act) has been made against that offender which includes a requirement to comply with the notification requirements. Such offenders have to notify the police of their name, address, and certain other personal details within 3 days of their conviction, sentence, or when a sexual offences prevention order is made.

3. Section 87(1) of the 2003 Act provides that a sex offender gives notification under sections 83(1), 84(1), or 85(1) of the 2003 Act by attending any police station which is prescribed for those purposes by regulations. Section 87 of the 2003 Act empowers the police to take photographs, fingerprints and samples to verify the offender’s identity upon notification. Notification should therefore take place at a station where the necessary facilities are available.

4. The Sexual Offences Act 2003 (Prescribed Police Stations) (Scotland) Regulations 2008 (SSI No. 128, “the 2008 Regulations”) prescribed a list of police stations within each of the then eight Scottish police force areas at which a sex offender can attend to notify the police of their details. The 2008 Regulations came into force on 6 May 2008. The 2008 Regulations were subsequently amended by The Sexual Offences Act 2003 (Prescribed Police Stations) (Scotland) Amendment Regulations 2012 (SSI 2012/50), which came into force on 2 April 2012 and updated some police station addresses. The Police and Fire Reform (Scotland) Act 2012 (Consequential Modifications and Savings) Order 2013 (SSI 2013/119), which came into force on 1 April 2013 when the former eight Scottish police forces were merged into the single Police Service of Scotland (PSOS), further amended the 2008 Regulations to strip out the references to “police areas”.

5. Since the 2008 Regulations were last amended a number of changes have occurred to police station addresses, as a result of the move to the PSOS as well as general administrative changes with the passage of time. The Sexual Offences Act 2003 (Prescribed Police Stations) (Scotland) Regulations 2014 therefore revoke the 2008 Regulations and its various amendments, and establish a new list of prescribed police stations incorporating all of the various changes that have occurred.

6. A full list of changes to individual police station addresses from the 2008 Regulations (as amended) is set out below:

- change the address of Buckie Police Station to Moray House, East Cathcart Street, Buckie, AB56 1PJ.
- change the address of Campbeltown Police Station to Hazelburn Business Park, Millknowe Road, Campbeltown, PA28 6HA.
- change the address of Cowdenbeath Police Station to Brunton House, High Street, Cowdenbeath, Fife, KY4 9QU.
- change the name of Divisional Police Headquarters to Perth Police Station.
- change the postcode of Elgin Police Station to IV30 1JL.
- change the postcode of Ellon Police Station to AB41 9AX.
- change the name of Fife Constabulary Divisional Headquarters to Kirkcaldy Police Station.
- change the address of Glasgow West End Police Station to 609-611 Dumbarton Road, Glasgow, G11 6HY.
- change the postcode of Grangemouth Police Station to FK3 8AN.
- change the postcode of Hamilton Police Station to ML3 6AS.
- change the name of Helen Street Police Station to Govan Police Station.
- change the name of Inverness Area Command Police Station to Inverness Police Station.
- change the postcode of Inverurie Police Station to AB51 3QD.
- change the address of Livingston Police Station to West Lothian Civic Centre, Howden South Road, Livingston, EH54 6FF.
- change the postcode of Peterhead Police Station to AB42 1BU.
- change the name of Police Headquarters to Aberdeen Police Station.
- change the postcode of Rutherglen Police Station to G71 1DG.
- change the name of Stewart Street Police Station to Glasgow City Centre Police Station.
- change the name of Strathkelvin Police Station to Kirkintilloch Police Station.

- change the name of Tayside Police Headquarters to Dundee Police Station.
 - change the postcode of Wick Police Station to KW1 5LB.
7. The following entries have been inserted:
- Benbecula Police Station, Balivanich, Isle of Benbecula, HS7 5LA.
 - Divisional HQ, Old Perth Road, Inverness, IV2 3SY.
 - Tain Police Station, Victoria Road, Tain, IV19 1AU.
8. The following entries have been removed:
- Bucksburn Police Station
 - Dornoch Police Station
 - Lochmaddy Police Station
 - Girvan Police Station

Consultation

9. The then Association of Chief Police Officers in Scotland was first consulted about updating the 2008 Regulations in March 2013, prior to police reform. Following the move to a single force, the Scottish Government remained in contact with PSOS until an up-to-date list of prescribed police stations could be established. PSOS is clear that the revised list delivers the required geographical coverage across Scotland to allow those offenders who are subject to the notification requirements of the Sexual Offences Act 2003 to comply with said requirements.

Impact Assessments

10. The impact of the Regulations will be purely administrative for the police and individuals subject to the notification requirements of the Sexual Offences Act 2003. There will be no impact on businesses, equalities or strategic environment.

Financial effects

11. The Regulations have no financial effects on the Scottish Government's program expenditure.

Mathew West
Scottish Government
Safer Communities Division
May 2014