STATUTORY INSTRUMENTS

2010 No. 912

The Management of Offenders etc. (Scotland) Act 2005 (Disclosure of Information) Order 2010

Disclosure of information to responsible authorities

4.—(1) The Secretary of State may disclose to any responsible authority for the area of a local authority in Scotland in which the Secretary of State reasonably believes an offender to be living, information relating to that offender held in connection with the exercise of any function of the Secretary of State relating to—

(a) social security, or

(b) employment and training.

(2) The Commission may disclose to any responsible authority for the area of a local authority in Scotland in which the Commission reasonably believes an offender to be living, information relating to that offender held in connection with the exercise of any function of the Commission.

(3) A responsible authority for the area of a local authority in Scotland may disclose information relating to an offender which it has received under this article to—

(a) any other responsible authority for the area of that local authority, and

(b) any person with whom the responsible authorities for that area are required by section 10(3) of the 2005 Act to act in co-operation.

(4) A responsible authority for the area of a local authority in Scotland may disclose information relating to an offender which it has received under this article to any responsible authority for the area of another local authority in Scotland if it reasonably believes that the offender—

(a) has moved, or intends to move, to live in the area of the other local authority on a temporary or permanent basis;

(b) works in the area of the other local authority; or

(c) visits or travels to the area of the other local authority in circumstances (including the frequency or duration of the visits) which make it necessary or desirable to disclose the information.

(5) Information may be disclosed to a responsible authority for the area of a local authority in Scotland under paragraphs (1) to (4) if the responsible authority has responsibility for any part of that local authority area.

(6) Information may be disclosed and used under paragraphs (1) to (4) only for purposes connected with the establishment and implementation of arrangements under section 10 of the 2005 Act in relation to the offender to whom the information relates.