

# FACTSHEET

## Returning to the UK and the Sexual Offences Act 2003



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**The aim of this fact sheet is to address some of the questions asked by clients who are returning with a conviction for a sexual offence and also to highlight the relevant parts of the Sexual Offences Act 2003. The full notification requirements are available on request from Prisoners Abroad; they include a list of all the offences with a conditional requirement to register.**

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### **1 Notification Orders**

Under the Sexual Offences Act 2003 the police now have powers to apply to the courts for a Notification Order to be placed on those convicted abroad. Orders will apply to those who received a conviction on or after the 1 September 1997 and to those who were serving a sentence on that date. If a Notification Order is granted then the person will be placed on the Sex Offenders Register.

This means the person has to:

- Have their photograph and finger prints taken for identification purposes.
- Inform the police of their address and any change of address, also if they intend to travel either within the UK or abroad.
- Inform the police of any aliases they have and any other addresses.
- Attend an interview at the relevant police station every 12 months.

Failure to comply with any of the above can lead to a conviction and prison sentence.

The length of time the person has to be on the register is determined by such things as the type of offence and the length of sentence. There may be particular requirements placed on an individual notification order, so the local police will carefully explain the requirements of registration to each individual.

## **2 Will the Police know about my return?**

Information about returning prisoners is passed between countries. The experience of other clients indicates that if a person has a conviction for a serious offence, they will be given an interview by the police at the airport. At this interview they will be told that they need to make contact with the local police, once they reach where they are going to stay in the UK. The officers at Heathrow and Gatwick will also inform the police in the relevant local area.

## **3 How will Prisoners Abroad work with me?**

Prisoners Abroad's work is focussed on the welfare of our clients and we make no moral judgement about a person's conviction; however, as an agency working with ex-offenders we also have a responsibility to the wider public. When we complete an initial interview with a person we explain that we have to inform the police about their return and arrange an interview with them. This interview may then result in the police obtaining a Notification Order as described above. Prisoners Abroad's Resettlement Service is entirely voluntary; if a person is not in agreement with the way we have to work, they do not have to use our service.

## **4 Are there any advantages to having this contact with the police?**

Many people are understandably wary of contact with the authorities and having to go on the Sex Offenders Register. The police and probation officers who work with Prisoners Abroad are very concerned about the welfare of our clients and their rights as citizens. There are a number of ways in which they can be very helpful. These include support applications for housing, and giving advice around coping with being out of prison and back in the community, e.g. when it might be necessary to disclose the conviction.

## **5 Will everyone in the community know why I have been in prison?**

The Police are very concerned with the safety of individuals and do not want to risk vigilantism. Personal details are not easily available to anyone. In the UK we do not automatically inform the local community of a prisoner's release and only those working closely with a client will usually need to know the nature of the conviction, e.g. housing providers.

## **6 Will I need to disclose my conviction to an employer?**

Legally, anyone with a conviction that is not 'spent' under the Rehabilitation of Offenders Act is obliged to disclose the nature of the conviction (please also see fact sheets on Disclosure and Employment). Sex Offenders can also breach the conditions of the Sex Offenders Register if they apply for work with children or vulnerable people and do not disclose a conviction.

**If you have any further questions concerning convictions and resettlement please contact Prisoners Abroad.**

If you require this leaflet in a large print format, please contact us. Our details are below.

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