



College of
Policing

AUTHORISED PROFESSIONAL PRACTICE

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Major investigation and public protection

Travelling abroad

This module provides MOSOVO officers with guidance for managing offenders who are travelling, living abroad or are repatriated.

Working within the framework of human rights it is important to balance the right to a private life with the right of the public to be protected and kept safe from harm. The process for managing the offenders who wish to travel is designed to provide robust, proportionate measures to address both.

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Registered offenders are required to notify the police of all foreign travel. Notification requirements provides details of the requirements and the actions to be taken by the MOSOVO officer.

MOSOVO officers and staff should update [ViSOR](#) records with foreign travel notification and other relevant information without delay in line with national Home Office [ViSOR Standards](#).

If a registered offender intends to travel to more than one country, the police should be notified of the point of arrival in each country, if it is known. All such information should be included in the Foreign Travel Attachment of the offender's [ViSOR](#) record.

Requests

MOSOVO officers may wish to make requests for information about a nominal travelling abroad, or flag the fact that a nominal is travelling to other countries.

MOSOVO officers should make information or flagging requests on a [Data Protection Act section 29\(3\)](#) form. Section 29(3) allows a data controller to disclose personal data to a third party for the purpose of crime prevention (section 29(1)). The police can authorise particular actions for the HMPO/[UKBA](#) but need specific authorities to do so. An overt action, such as stop and alert the police, needs to be authorised by an inspector or equivalent before forwarding it to HMPO via the force intelligence bureau ([FIB](#)).

Officers can request that Her Majesty's Passport Office (HMPO) does one or all of the following, but need to specify on the section 29(3) form exactly which action they require:

- check the HMPO records to provide passport history or current passport details
- provide detail from the most recent passport or all passports, or provide copies of records including a photo
- exhibit a passport record and provide a witness statement
- create an entry on the HMPO watch list and notify police of any subsequent contact.

The police force responsible for managing an offender identified by the e- borders system is responsible for investigating any apparent offences.

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ACRO ViSOR unit

The ViSOR unit within ACRO Criminal Records Office (ACRO) intelligence unit monitors UK nationals convicted overseas who, if they were convicted in the UK, would be subject to the Notification Requirements SOA 2003, have a record created on ViSOR, and potentially be the subject of sex offender orders or other restrictions. Direct management is not possible as the offender is absent from the UK, but if the offender does return to the UK, the ACRO ViSOR unit can notify local MOSOVO teams for ongoing effective management.

UK Central Authority for the Exchange of Criminal Records

The ACRO Criminal Records Office (ACRO) offers a number of services to police officers and staff when investigating foreign nationals.

HM Passport Office watch list/browse

The HM Passport Office (HMPO) watch list, also known as the 'stop list' or 'browse', is a flagging service. Whenever an offender whom HMPO has been made aware of makes any contact with HMPO (eg, for a new passport application or any change of personal details), HMPO notify the police.

If there is reason to delay issuing the passport, HMPO can assist with this. Alternatively, if the applicant is wanted for an offence and they are overseas, HMPO can be requested to issue them with a one-way temporary travel document back to the UK instead.

By creating an entry on the HMPO watch list, any subsequent applications made in the UK or overseas (through the FCO) will be referred to the operational intelligence unit, which then liaises with the relevant force. This is particularly useful in pre-empting a change of name (by deed poll) by suspects and offenders. The police are notified by the Home Office Watchlist and Information Control Unit (WICU) when the offenders return to the UK if a passport has been used. This may indicate a breach of notification requirements which must be robustly dealt with.

If an individual has surrendered a passport to a court or police force, and falsely declares it to be lost or stolen to HMPO, the document is added to the lost or stolen passport data extract sent to the UKBA (for inclusion on Home Office Warnings Index) and INTERPOL via NCA.

NCA Child Exploitation and Online Protection Centre Command Overseas Tracker Team

The CEOP Command Overseas Tracker Team proactively investigates UK nationals suspected of travelling overseas to sexually offend against children. The focus of the team is on individuals who have never been convicted or have never come to the attention of UK law enforcement, but who are suspected of offending against children overseas. It also focuses on offenders with convictions predating the introduction of ViSOR (ie 2005). This means that the team concentrates its efforts on individuals who are not subject to the requirements of the Sexual Offences Act 2003 (SOA) and may otherwise remain undetected.

The team disseminates timely and accurate intelligence on suspected offenders to local and international law enforcement agencies, seeking authority to disclose to other non-governmental agencies if it is considered necessary and proportionate to the investigation.

The Overseas Tracker Team works closely with the UK police service to provide consultancy on cases and assist investigations with knowledge about travelling sex offenders. The team provides intelligence which can be used as grounds for imposing civil preventative orders on travelling child sex offenders on their return to the UK.

The team records data on UK national who are arrested or convicted overseas, and works with the United Kingdom Central Authority for the Exchange of Criminal Records and police forces to ensure that these individuals are made the subject of a notification on their return to the UK.

The team also provides advice to UK police forces in order to support good working practices with foreign law enforcement.

Referrals

The Overseas Tracker Team accepts referrals on the following criteria:

- the welfare of a child or children overseas, or incidents which indicate a child may be or is being sexually abused by a UK national overseas
- a UK national is suspected of committing sexual offences against children overseas
- a UK national is suspected of offering the sexual services of a child while abroad
- an organisation is suspected of being involved in the sexual exploitation of children overseas by UK nationals.

Further information

CEOP

trackerteam@nca.pnn.police.uk

trackerteaminternational@
nca.pnn.police.uk

UK Border Agency

The UKBA is under the direct control of the Home Office and is divided into two organisations – the Immigration and Visa Service and the Immigration Law Enforcement Organisation.

E-borders programme

E-borders is a UKBA-owned system operated in partnership with the police and other agencies. E-borders screens every passenger or crew member entering, leaving or transiting the UK before their journey.

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The system screens travellers against a number of watch lists such as the [PNC](#), which includes [VISOR](#) markers, to identify those of current interest to the police, the [UKBA](#) and others. If a [VISOR](#) subject is identified, their details are passed to the National Border Targeting Centre ([NBTC](#)) (formerly the Joint Border Operations Centre). They will confirm if the traveller is a [VISOR](#) subject and send an alert to the port if intervention is required, or progress the matter via the [VISOR SPQC](#) in the force area.

Her Majesty's Revenue and Customs

Her Majesty's Revenue and Customs ([HMRC](#)) can pursue customs investigations in certain circumstances where the police are unable to progress the case. [HMRC](#) can also support the police in targeting suspected offenders passing through customs controls.

[HMRC](#) will inform the police of any change to the details required to be notified under the SOA, and of any person passing through customs who is identified as being subject to notification requirements but who has failed to meet them.

As well as advising [HMRC](#) of any investigations relating to importing child abuse images, police forces should have policies in place to advise the [NCA](#) of target offenders who may have a national or international dimension to their offending.

Forces should also advise [HMRC](#) of day-to-day operational targets who are suspected of travelling abroad or who have contacts with child abusers resident abroad.

Schengen Information System

[Schengen Information System](#) ([SIS II](#)) is a pan-European database that passes real-time information from one participating country to another in the form of alerts relating to people and property. Most [EU](#) countries (and some non-[EU](#)) have access to SIS data. The UK joined the live system in April 2015 since which time [SIS II](#) data has been available in the UK to all police officers, police staff and law enforcement agents.

[Article 36](#) of the Schengen Agreement details entering information reports on high-risk nominals, including RSOs and their associated vehicles, into the system. These alerts allow staff to discreetly monitor the movement of offenders to other countries, and to carry out checks that may lead to action when the nominal returns to the UK. These alerts currently cover the equivalent of [PNC](#) and migration data systems of all countries.

If staff believe an offender is travelling outside Europe or the Schengen member states, they should follow existing procedures regarding INTERPOL and the [CEOP](#) Overseas Tracker Team.

In terms of UK registered sex offenders travelling abroad, [SIS II](#) alerts hold no prohibitions or punishments and the presence of such an alert does not require the Schengen countries to arrest or refuse entry. Refusal of entry to a country is an individual decision for the country to make as part of immigration policy. They may refuse entry to persons they believe pose a threat to their country.

INTERPOL

The fundamental basics of intelligence exchange are governed by INTERPOL's rules on processing data – see [INTERPOL Rules on the Processing of Data](#), chapter 2.

INTERPOL notices

Decisions to use Interpol notices (and [SIS II](#) alerts) are taken following national guidance and on a case by case basis according to risk. Such decisions are taken with human rights and the protection of the public in mind.

[NCA](#) is the UK Central Authority for the international exchange of intelligence through the UK INTERPOL National Central Bureau (NCB).

The INTERPOL notices system consists of a set of colour-coded notices published for specific purposes. There are also United Nations Security Council Special Notices which inform member states that an individual or entity is subject to [UN](#) Security Council sanctions.

INTERPOL has four working languages – Arabic, English, French and Spanish. When writing the summary of facts in INTERPOL notices, officers and staff should write summaries in simple English, avoiding UK law enforcement terminology.

Further information
[APP on international investigations](#)

Published notices are available to view on the [INTERPOL I-24/7 database](#).

Diffusion notices and diffusion system

Diffusion notices are a more specific targeting tool and can be forwarded to an NCB in one country, a group of countries or a geographic zone.

Diffusion system (Article 97)

This consists of standardised for cooperation and alerts in selected countries for one or more of the following specific purposes:

- to arrest, detail or restrict the movements of a convicted or accused person
- to locate and trace
- to obtain additional information
- for ID purposes
- to warn about a person's criminal activities
- for information purposes.

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Publication of green notices and diffusions regarding travelling sexual offenders

Home Office Circular 20/2001 sets out amendments to the Sex Offenders Act 1997 which allow more intrusive management of sex offenders, including notification of foreign travel.

A **Green Notice** is used for non-Schengen countries to provide warnings and intelligence about persons who have committed criminal offences and are likely to repeat these crimes in other countries. The decision to use these are on a case by case basis.

The criteria for circulation of green notices include:

- For very high and high-risk sexual offenders – if the local force receives notification of foreign travel and considers dissemination of this information to other countries necessary and proportionate, they can submit a green notice application to the UK NCB accompanied by a form C risk assessment. The UK INTERPOL NCB will quality assure both documents before disseminating through INTERPOL channels, if appropriate.
- For medium-risk offenders – these are dealt with by way of diffusion where appropriate, or a green notice. Each will be judged on a case-by-case basis.
- For low-risk offenders – it is not usual practice to notify the country of destination or INTERPOL unless there is specific intelligence to warrant a diffusion or green notice, eg, the individual may be travelling to a high-risk country.

The final decision in relation to circulating INTERPOL diffusions or colour notices sits with the NCB which, in liaison with the subject's offender manager and the force's [ILO](#), consider which notification should be used on a case-by-case basis.

Biometric data

The UK DNA Strategy Board must be consulted and authorise all identified profiles which are to be shared internationally.

All notices must include the most up-to-date photograph and fingerprints of the person whenever these are available. [NCA](#) UK NCB will extract the fingerprints on a force's behalf and attach them to the relevant notice. The requesting officer must also provide the following information on the subject:

- name
- date of birth
- gender
- Criminal Records Office (CRO) number
- nationality as shown on the [PNC](#)
- date first fingerprinted according to the [PNC](#).

A memorandum of understanding exists between the UK and the Republic of Ireland relating to exchanging information on RSOs who intend to travel between the two states. Further detail can be found in [Home Office Circular \(036/2006\)](#) Information Sharing Arrangements Relating to Sex Offenders.

Risk assessment

Requests for international enquiries and disseminations must be accompanied by a form C risk assessment should any intended recipient be outside the European Union or European Economic Area ([EEA](#)). In such circumstances, this assessment must be authorised by an officer of superintendent rank or above.

Enquiries and diffusions for restricted dissemination to European Union or [EEA](#) states require a form C where the matter concerns a sex offence or offender. These can be authorised by an officer of inspector rank or above.

If a request is submitted without the required form C risk assessment authorised at the appropriate rank, the NCB will automatically return the application to the originating force.

Review of green notice

It is essential that offender managers review the intelligence that led to a green notice. Once the intelligence is no longer valid, the necessity for a green notice will no longer meet the proportionality test. The force must contact the UK NCB to make arrangements for the notice to be removed from the INTERPOL database.

For clarification seek advice from the force international liaison officer ([ILO](#)) [SPOC](#).

Return of deported child sex offenders

Where no direct return flights to the UK exist, consideration should be given to:

- sharing information with the transit country concerned via INTERPOL
- gaining help from the Foreign and Commonwealth Office ([FCO](#)) in the country holding the offender and in the transit country to gain the cooperation of the authorities in the transit country
- obtaining assistance of either [NCA](#) or airline liaison officers, chief immigration officers, or [UKBA](#) staff deployed abroad
- encouraging the foreign country's authorities to stamp the offender's passport indicating deportation – this should help the transit country deny entry
- preparing and agreeing press statements from the [FCO](#) and [UKBA](#) and other relevant agencies party to the deportation.

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This guidance applies if the officers from a UK police force go to the foreign country and accompany the offender back to the UK. It also applies if officers are unable to accompany the offender back to the UK and the foreign country's own law enforcement agency offers to do so.

For matters associated with international arrest warrants and extradition, see [APP](#) on [International investigations](#).

In cases of child sexual abuse abroad, see [APP](#) on [child abuse](#). This guidance also provides information on safeguarding children identified as victims.

Further media issues that should be considered include:

- the foreign country's authorities may wish to promote widespread media coverage at the point of deportation, which may antagonise the offender and not assist UK law enforcement to achieve a smooth departure
- the possibility of brokering a news embargo
- media coverage and its potential deterrent impact
- the impact of media coverage on the offender's past victims and the offender's immediate family.

Page last accessed 23 May 2019

First published: 18 July 2017 **Last modified:** 28 February 2019

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