

Letter sent to the editor of the Daily Telegraph on 7 May 2013 in response to the article “**Sex offenders secretly removed from register**”, copied below

SIR – Hayley Dixon tells us that “police have removed the names [from the Sex Offenders Register] after a human rights ruling, which came into effect in September last year, meant that criminals could apply to have their names removed on the grounds that they no longer posed a threat” (“Sex offenders secretly removed from register” 7 May 2013). The Supreme Court ruling in question was in fact given in 2010 and it did not have the effect of granting appeals to sex offenders listed on the register. The incompatibility with human rights identified by the Supreme Court led the judges to issue a Declaration of Incompatibility under the Human Rights Act, which the government was then free to ignore or act upon. It chose to do the latter. The government granted the right of appeal via the Sexual Offences Act 2003 (Remedial) Order 2012, which came into force in July last year.

Professor Francesca Klug and Amy Williams, LSE Centre for the Study of Human Rights

Sex offenders secretly removed from register

Convicted sex offenders, including paedophiles and rapists, have been secretly from the Sex Offenders' Register, it has been revealed.

Photo

Since a change in the law in September last year, 43 people have been secretly removed from the sex offenders register Photo: ALAMY

By Hayley Dixon

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Police have removed the names after a human rights ruling, which came into effect in September last year, meant that criminals could apply to have their names removed on the grounds that they no longer posed a threat.

Since then, 43 applications have been approved in secret - one every five days, according to figures released to the Daily Mail.

Half of the sex attackers who have applied have been successful - including eight rapists and 27 child sex attackers.

The removal of the names, believed to have been authorised by mid-ranking officers following a paper review of the case, means that the person is no longer monitored by police.

Therefore they do not have to register their movements - and could move in with a young family or live close to a school - and can travel abroad freely without informing the authorities.

The police forces involved have refused to name those removed from the register on the grounds that it would breach their human rights, specifically the right to a private and family life, and because of data protection rules.

Victims are not necessarily notified that their attacker is no longer seen as a threat.

Child protection charities have questioned the move. Claude Knights, director of children's charity Kidscape, said: "This step removes a number of bricks from the wall of child protection, and takes us back to the ' level of a number of years ago."

He questioned whether a sex offender could ever be "cured".

All 43 police forces in England and Wales were asked how many sex offenders had been removed from the list between September 1, when the law came into force, and the end of March.

Only 27 forces replied, revealing that there have been 91 applications and 43 sex offenders taken off the register.

South Yorkshire Police, has approved all eight applications which it has received, including two rapists, one of whom attacked a child.

Only Norfolk Police said that it was contacting victims to tell them what was happening.

There are around 24,000 registered sex offenders in England and Wales who are subject to life long monitoring, including having to notify the police of their personal details and whether they intend to travel abroad.

After a case brought by two convicted sex offenders the courts ordered that the rules be changed to allow people to apply for their names to be removed.

A Home Office spokesman said: "Sex offenders who remain a risk to the public will stay on the register, for life if necessary."

Only one convicted sex offender taken off the official register has had his name made public after his application was refused and he appealed to the magistrates court.

George St Angeli was jailed for five years in the mid-1990s for interfering with two young girls over a five-year period and placed on the register for life.

West Yorkshire Police rejected the application, but their decision was overturned by a District Judge earlier this year, who ruled that the 71-year-old no longer needed supervision.

He said: "It will give me peace of mind, it's a great weight off my shoulders."