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Characterization of the databases of sexual offenders : Portugal vs. global perspectives : comparatives analysis

<http://hdl.handle.net/11067/8194>
<https://doi.org/10.34628/JJNF-T649>

Metadados

Data de Publicação

2024

Resumo

The sexual offender database serves as an identification system for individuals convicted of sexual offenses against children, excluding those convicted of crimes against adults. Established primarily to prevent new sexual crimes and reduce recidivism, this database, originated in the United States, has been adopted by several countries, including Portugal, France, Ireland, Australia, and Canada. This article discusses various descriptors of these databases, such as access, registration permanen...

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Editor

Universidade Lusíada Editora

Palavras Chave

Sistemas de recuperação da informação - Criminosos sexuais

Tipo

article

Revisão de Pares

Não

Coleções

[ILID-CEJEIA] Polis, s. 2, n. 10 (Julho-Dezembro 2024)

Esta página foi gerada automaticamente em 2026-10-30T01:04:58Z com informação proveniente do Repositório

Characterization of the databases of sexual offenders: Portugal vs. global perspectives. Comparative analysis

Caracterização das bases de dados dos agressores sexuais: Portugal vs perspectiva global. Análise comparativa

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Summary

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Abstract: The sexual offender database serves as an identification system for individuals convicted of sexual offenses against children, excluding those convicted of crimes against adults. Established primarily to prevent new sexual crimes

and reduce recidivism, this database, originated in the United States, has been adopted by several countries, including Portugal, France, Ireland, Australia, and Canada. This article discusses various descriptors of these databases, such as access, registration permanence, and procedural differences across nations. While these databases offer preventive measures against crimes targeting minors and potential reduction of recidivism through treatment, they also raise concerns about privacy and the freedom of the offender. Despite implementation, there is no guarantee of preventing first-time offenders from committing crimes, as many offenders do not have prior criminal records. This study contributes to the ongoing debate about the relevance, efficiency, and effectiveness of this type of database, analyzing aspects such as the duration of offender data retention in these databases.

Keywords: Database; Sexual offenders; Sexual crime.

Resumo: A base de dados de agressores sexuais serve como um sistema de identificação para indivíduos condenados por crimes sexuais contra crianças, excluindo aqueles condenados por crimes con-

tra adultos. Estabelecida principalmente para prevenir novos crimes e reduzir a reincidência, esta base de dados, originada nos Estados Unidos, foi adotada por vários países, incluindo Portugal, França, Irlanda, Austrália e Canadá. Este artigo discute vários descritores dessas bases de dados, como o acesso, a permanência de registo e as diferenças processuais entre as nações. Embora estas bases de dados ofereçam medidas preventivas contra crimes contra menores e uma potencial redução de reincidência através do tratamento, também levantam preocupações sobre a privacidade e a liberdade do agressor. Apesar da implementação, não há garantia de impedir os agressores de cometer crimes, uma vez que muitos deles não possuem antecedentes. Este estudo contribui para o debate em curso sobre a relevância, eficiência e eficácia deste tipo de base de dados, analisando aspetos como a duração da retenção de dados do agressor nestas bases de dados

Palavras-chave: Base de dados; Agressores sexuais; Crime sexual.

List of Abbreviations

PS	Partido Socialista (The Socialist Party)
BE	Bloco de Esquerda (The Left Bloc)
PCP	Partido Comunista Português (The Portuguese Communist Party)
Fijais	Fichier Judiciaire Automatisé des Auteurs d'Infractions Sexuelles et Violentes (Automated Judicial File of Perpetrators of Sexual and Violent Offenses)
CNJ	Casier Judiciaire National (National Criminal Record)
The Garda	The Irish National Police Force
Ancor	The Australian National Child Offender Register
Soira	The Sex Offender Information Registration Act

1. Introduction

Sexual crimes evoke significant social alarm, often inciting widespread public outcry and a pervasive sense of insecurity. Extensive literature indicates that such crimes are frequently perpetrated by individuals close to the victim. Vanzile-Tamsen, Testa, and Livingston (2005) assert that sexual assault is predominantly carried out by acquaintances of the victim. Additionally, Snyder (2000) discovered that nearly half of children under the age of 6 have experienced sexual abuse, with 42% of children aged 6 to 11 being victimized by a family member. Notably, sexual offenders often lack a prior criminal record, perpetrating their first offense. Sandler, Freeman, and Socia (2008) found that in New York, 95% of recorded sexual crimes between 1986 and 2008 were committed by individuals without a criminal history. Moreover, unlike other types of offenders, sexual offenders exhibit lower rates of recidivism. Hanson and Morton-Bourgon (2005) report that only 14% of sexual offenders reoffend within five years, contrasting with higher rates observed for other criminal behaviours. Research suggests that treatment interven-

tions for sexual offenders effectively reduce recidivism rates. Lösel and Schmucker (2005) argue that rehabilitative efforts significantly contribute to lowering reoffense rates among sexual offenders, a finding supported by numerous studies. Individuals listed in sexual offender databases encounter considerable challenges when reintegrating into society. Bowen, Frenzel, and Spraitz (2016), Evans and Cubellis (2015), and Mercado, Alvarez, and Levenson (2008) highlight the detrimental effects of stigma, particularly in employment and social interactions, on the lives of registered sexual offenders and their families. In response to sexual crimes, many countries have established sexual offender databases. The United States, and countries such as Australia, Ireland, Canada, France, South Korea, Japan, and the United Kingdom have adopted such registries. Notably, residency restrictions and registration periods vary among these countries. However, South Korea stands out with community notification laws in place. Human Rights Watch criticizes these laws, arguing that they impede the rehabilitation of offenders, subjecting them to violence and harassment (Human Rights Watch, 2024). In Portugal, France, Ireland, the United States, Canada, and Australia, sexual offender databases aim to prevent new crimes against minors and reduce recidivism. However, operational procedures differ across countries. For instance, access to the database requires judicial authorization in Portugal, France, Ireland, Australia, and Canada, while in the United States, public access is permitted. Moreover, the duration of data retention varies: registration is lifelong in the United States, Australia, and Canada, whereas in Portugal and France, it is not indefinite. In this study, we aim to conduct a comprehensive analysis of sexual offender databases in Portugal and other countries to facilitate clarification and reflection in this area. By examining the operational procedures, access regulations, and duration of data retention in these databases, we seek to shed light on the effectiveness and efficiency of current practices in preventing sexual crimes against minors and reducing recidivism among offenders. Through this comparative analysis, we endeavour to contribute to the ongoing discourse surrounding the management of sex-

ual offender information and its implications for societal safety and rehabilitation efforts.

2. Portugal

The Government presented a proposal aimed at creating a database containing information on all sexual offenders who were criminally punished for committing sexual crimes against minors. Additionally, the proposal allowed parents with guardianship over children up to the age of 16 to visit a local police station to inquire if any sexual offenders lived nearby. This topic generated significant discord in the parliamentary seat (Proposta de Lei n.305/XII/4, 2015). The Socialist Party (PS) supported changes to the Penal Law regarding criminal regimes for sexual crimes. They also intended to criminalize attempted sexual assault and access to child pornography (Projeto de Lei n.772/XII/4^a, 2015). The Bloco de Esquerda (BE) argued for more severe penalties for offenders intending to engage in sexual behavior. (OFÍCIO n.803/XII/1^a. CACDLG, 2015). The Portuguese Communist Party (PCP) advocated for strengthening the protection of minors throughout the Portuguese territory. Their proposal aimed to protect children and young people from sexual crimes across the entire country, adhering to the recommendations given by the European Council [14]. The PCP also proposed measures to protect minors from acts of sexual violence and to safeguard the rights of those who were sexually assaulted (Projeto de Lei n.886/XII/4^a, 2015). Despite the controversy surrounding the database of sexual offenders, it was approved in Portugal in 2015 with Law N°103/2015, of 24th August. The database includes offenders who have committed sexual crimes against children, including their personal data, such as name, as outlined in the annex of Chapter II, Article 9 of Law N°103/2015.

2.1. Who protects the data in the sexual offender database and the deadline for reporting it to legal authorities

According to Annex Chapter II of Law N°103/2015, of August 24, Article 7, N°1, in Portugal, the person responsible for safeguarding the data of sexual offenders is the

Director-General of the Administration of Justice. The Director-General has a period of 5 days to update and validate the data communicated by the judicial authority or when applicable, as outlined in the annex of Chapter II, Article 10 N°2 of Law N°103/2015. If there is any change in the personal data of the offender, they are obliged to communicate this change within a period of 15 days to the criminal identification services of the General Directorate of the Administration of Justice, as outlined in the annex of Chapter II, Article 13 N°2 of Law N°103/2015. If the offender does not comply, a fine equivalent to 120 days' pay will be imposed or they may face imprisonment for up to 1 year, as outlined in the annex of Chapter II, Article 14 N°1 of Law N°103/2015.

2.2. Who can access the sexual offender database

In Portugal, access to the database of sexual offenders is regulated by Article 16, N°1, paragraphs a, b, c, and d, in Annex Chapter III of Law N°103/2015, August 24:

- Individuals employed within the justice system;
- Staff working within prison establishment;
- Organizations dedicated to the protection of young people and children;
- Entities involved in the reintegration of offenders into society.

In Annex Chapter III of Law N°103/2015, of 24th August, Article 16, N°2 states that “*parents who exercise parental authority over minors under 16 years of age can also access the database through law enforcement agencies if there is a certain fear that may justify such access*”. According to Article 16, N°3, “*parents must prove the young person’s school attendance and address to access the content of database*”. The data and time of access, as well as the name of the person who accessed the content, are recorded in the Penal System, as stated in Article 17, N°2 of Annex Chapter III of Law N°103/2015. Furthermore, Article 19, N°1 of Annex Chapter III of Law N°103/2015 stipulates that Portuguese citizens who access the sexual offenders database are prohibited from revealing the content information to which they have had access and must keep it confidential.

“Sexual crimes evoke significant social alarm. In countries like, Portugal, France, Ireland, United States, Canada and Australia, sexual offenders databases aim to prevent new sexual crimes against minors and reduce recidivism”

2.3. Conviction and permanence of data on sexual offenders in the database

In Portugal, the duration of data retention in the sexual offenders database ranges from 5 to 20 years, depending on the individual’s conviction. There are four possible scenarios regarding the permanence of offender’s data in the database, as outlined in Article 13, N°3, lines a, b, c, and d of Annex Chapter II of Law N°103/2015), of 24th August .

Table 1 - Conviction and Permanence of Data on Sexual Offenders Database in Portugal

Conviction	Permanence of data on sexual offenders database
Convicted with a criminal sentence of up to 1 year or a fine	5 Years
Convicted with a criminal sentence exceeding 1 year and not exceeding 5 years	10 Years
Convicted with a criminal sentence exceeding 5 years and not exceeding 10 years	15 Years
Convicted with a criminal sentence exceeding 10 years	20 Years

Source: Data collected in article 13, n°3, lines a, b, c, d of annex chapter II of law n° 103/2015 of 24th August

Portugal has created a database of sexual offenders that includes personal information such as names and social security numbers. Parents can access the contents of this database if they have a minor up to 16 years old and if there is a danger that justifies this access. To do so, parents must present documents proving their address and the child’s school attendance. In Portugal, the Director-General of the Administration of Justice is responsible for storing this data. Offenders are obliged to communicate any changes to their personal data to the General Directorate of the Administration of Justice within 15 days. Failure to comply with this obligation may result in a fine of up to 120 days’ pay or imprisonment for up to 1 year. The Director-General must validate the data provided by the Criminal Identification Services within 5 days. The general public cannot access the contents of the database without judicial authorization. Those who do have access are typically employed within the justice system. Anyone who accesses the database is prohibited from disclosing its information, as it is confidential. In Portugal, data in the database is retained for a period ranging from 5 to 20 years, depending on the offense. Data is not kept for life.

3. France

In France, the database of sexual offenders is called the “Fichier Judiciaire Automatisé des Auteurs d’Infractions Sexuelles et Violentes (FIJAIS). THE FIJAIS was created in 2004 by Law N°2004-204 of March 9, 2004 (FIJAIS, 2004). Data on sexual offenders listed in FIJAIS are maintained by the Casier Judiciaire National (CJN) under the supervision of a Superior Magistrate (LÉGIFRANCE, 2024). This database serves a preventive purpose and assists in the discovery and capture of presumed sexual offenders. Offenders registered in the database are informed either personally or by registered letter with acknowledgment of receipt sent to their known area of residence. If there is any change in the area of residence, the offender must inform the authorities within 15 days and update this information once a year. Failure to meet these “*deadlines results in a punishment of up to 2 years in prison or a fine of 30,000*” (FIJAIS, 2004).

3.1 Who can access the sexual offenders database

In France, access to the database of sexual offenders is restricted to specific individuals within the justice system. These include “the Judicial Authority Judicial Police Officers (OPJ) conducting investigations related to offenses leading to registration in FIJAIS or violations of FIJAIS obligations, Perfects, and authorized agents of certain administrations for recruitment to specific posts, and regulated officers of a prison registry for the follow-up of obligations of a person on file”.

3.2 Conviction and permanence of data on sexual offenders in the database

The criminal identification system registers various personal information of the offender, including their name and the sentence. The database records criminals who have committed sexual crimes such as “the murder of minors potentially accompanied by rape, sexual assault on a minor, human trafficking of a minor, pimping of a minor, use of prostitution of a minor, corruption of minors, torture or barbarism, and murder of a minor or reoffense”. Data remain recorded for a period of 20 to 30 years, depending on the crime committed and the sentence imposed (FIJAIS, 2004).

Table 2 - Conviction and Permanence of Data on Sexual Offenders Database in France

Conviction	Permanence of data on sexual offenders database
Convicted with a criminal sentence equal 10 years	30 Years
Convicted with a criminal sentence applied to other situation	20 Years

Source: Data collected in FIJAIS (2004)

The records of sexual offenders can be removed in the event of death, if the prosecutor demands the annulment of the conviction, or if the offender is acquitted by court decision. Offenders may request the Public Prosecutor’s Office to rectify or erase incorrect data in the registry. However, there are cases where data deletion cannot occur, such as “when legal proceedings are ongoing, the offender hasn’t been rehabilitated or the measure behind the registration has not been deleted from bulletin 1 of

the criminal record” (FIJAIS, 2004). Portugal and France have both created databases of sexual offenders, registering the personal data of offenders. What differentiates them is that in Portugal, the criminal record number is known, but the specific conviction or penalty imposed is not. In contrast, France provides access to this data.

Both in Portugal and France, offenders must communicate any change of address within 15 days. If this deadline is not met, France imposes a prison sentence of to 2 years, whereas Portugal imposes a deprivation of liberty of up to 1 year. In France, a non-compliance fine can be as high as 30,000 euros, while in Portugal, the fine is up to 120 days’ pay. In terms of safeguarding data in the database, the responsibility lies with the Director-General of the Administration of Justice in Portugal, and a Senior Magistrate in France. In Portugal, data in the sexual offenders database is retained for 5 to 20 years. In France, the retention period is 20 to 30 years, making the maintenance period longer in France than in Portugal.

4. Ireland

The Sexual Offenders Act was passed in June 2001 in Ireland. Monitoring Sex Offenders requires that the courts issue a certificate to the Irish National Police Force, “the Garda”, the warden of the prison where the individual is detained, and the sexual offender, communicating the sentence handed down and requiring submission of reports. This is not a publicly available register, but Ireland also maintains a list of certificates held by “the Garda”. For sexual offenders, the Irish courts establish specific requirements during sentencing, deciding on the type and extent of post-release supervision needed. The court may set specific conditions for the offender, such as bans on attending schools and mandates for psychological counselling. This information is not available to the public. The only moment, the public have permission become aware of a previous sexual offender’s status is when the offender applies for a job that allows unsupervised access to or contact with or mentally disabled.

4.1 Conviction and permanence of data in the sexual offenders database

In Ireland, data maintenance in the sexual offender database is recorded from 5 years to indefinitely, depending on the conviction imposed on the individual.

Table 3 - Conviction and Permanence of Data on Sexual Offenders Database in Ireland

Conviction	Permanence of data on sexual offenders database
Convicted to suspended sentence	5 Years
Convicted with a criminal sentence of up 6 months	7 Years
Convicted with a criminal sentence of 6 months to 2 years	10 Years
Convicted with a criminal sentence exceeding 2 years	Undetermined Time

Source: Data collected in irishstatuebook.ie, 2001.

Ireland, like Portugal and France has created a database of sexual offenders. However, unlike in Portugal and France, in Ireland, it is possible to access information about an individual’s background when they apply for a job or come into contact with children. This transparency is not available in other countries. In Ireland, there is also the possibility of sexual offenders undergoing psychological treatment if deemed necessary by the court, which differs from Portugal and France where this option does not exist. The public in Ireland can be aware of the presence of offenders nearby but cannot access the offender’s name or other personal details. In contrast, in Portugal, access to the offender’s personal data requires judicial authorization. Regarding data protection, in Ireland, the data are safeguarded by “the Garda”, while in Portugal, they are protected by the Director-General of Administration of Justice, and in France, by a Senior Magistrate. In terms of data maintenance, Ireland allows data to remain in the database from 5 years to indefinitely. This approach contrasts with Portugal and France, where the duration of data maintenance depends on the severity of the crime committed.

5. United States of America

The United States initiated sexual offender registries at the federal level following the abduction of eleven-year-old Jacob Wetterling. Jacob was kidnapped at gunpoint in 1989 while renting a video from a neighbourhood store. Congress passed federal sexual offender legislation in response, allowing police publicly disclose the presence of criminals in communities and mandating convicted sexual offenders with child victims to register with law enforcement (Lewis, 1996). While the Jacob Wetterling Act motivate states to adopt sexual offenders laws, compliance varied. Offenders convicted of crimes against minors especially violent crimes were required to register annually with local authorities for ten years post-release. Some argue that courts may mandate lifelong registration for sexually violent offenders unless an expert board determines they no longer pose a threat due to a disorder (Lewis, 1996). Under the Jacob Wetterling Act, conviction data fingerprints of each offender were transmitted by states to the Federal Bureau of Investigation (FBI). The legislation aimed to protect the public from violent sexual crimes and deter offenders and child molesters. High-profile cases like Jacob Wetterling’s underscored the need for these laws, as communities felt vulnerable knowing offenders lived nearby. Local Sexual Offender Law aimed to empower communities and law enforcement with information to prevent sexual offenses (Lewis, 1996). Two years after the Jacob Wetterling Act, Congress revised it with Megan’s Law following the tragic murder of seven-year-old Megan Kanka in 1994. Megan’s attacker was a neighbor with prior sexual offenses. Public outcry for community notification laws. Megan’s Law required states to inform the public about nearby sexual offenders (Newburn, 2011). The Jacob Wetterling Act specifically addresses offenses against minors, with exceptions for consensual acts between minors close in age. Sealed, pardoned, or expunged convictions are not exempt from registration requirements. Author Doyle argues that sexual offenders convicted of crimes must register, providing personal details such as name, social security number, frequented places, vehicle descriptions, and registration numbers [49]. Doyle also advocates for databases to include physi-

cal descriptions, portraits, fingerprints, criminal records, and details of sentences and releases (Newburn, 2011).

5.1 Conviction and permanence of data on sexual offender in the database

The Adam Walsh Child Protection and Safety Act established a three-tier system based on the severity of the offender’s original conviction to determine the duration of registration on the sexual offender registry. Tier I offenders are required to register for a period typically ranging from 15 years, while Tier III offenders are subject to lifetime registration. Most of sexual offenses against minors are included in Tier II and Tier III categories.

Table 4 - Conviction and Permanence of Data on Sexual Offenders Database in United States of America

Conviction	Permanence of data on sexual offenders database
Tier I	15 Years
Tier II	25 Years
Tier III	For life

Source: Data collected in Newburn, 2011.

In the United States of America, public access to the database of sexual offenders is allowed. In Portugal and France, however, public access is restricted and requires judicial authorization if justified. In the United States, access to the personal data of the offender includes physical characteristics and their portrait, which is not typically available in European countries. Regarding the maintenance of data in the database, in the United States, information can be retained from 15 years to a lifetime record. This contrasts with Portugal and France, where registration is not lifelong. Unlike Ireland, where registration is indefinite, the duration of data maintenance in the United States, Portugal and France depends on the severity of the crime committed.

6. Australia

The Australian National Child Offender Register (ANCOR) was established in Australia in 2004. ANCOR serves as the National Register to Track Child Sexual Offenders.

According to authors such as Christopher Ellison and media releases, the primary goal of ANCOR is provide law enforcement with an efficient tool to manage offender cases nationwide. Offenders convicted of sexual crimes against minors are required to inform the police about their frequent locations, vehicle registrations, and residential addresses (Ellison, 2004). Christopher Ellison (2004) emphasizes that access to this information is restricted to law enforcement agencies and not available to the general public. Each Australian territory is mandated to enact legislation based on a common model prescribed by ANCOR.

6.1 Conviction and permanence of data on sexual offenders in the database

The database of sexual offenders sets varying periods for maintaining data, ranging from 8 years to a lifetime, contingent upon the conviction imposed on the individual.

Table 5 - Conviction and Permanence of Data on Sexual Offenders Database in Australia

Conviction	Permanence of data on sexual offenders database
A class 2 felony	8 Years
Two class 2 felony	15 Years
Two or more crimes	For life

Source: Data collected in Ellison, 2004.

Australia established a database of sexual offenders, similar to those found in other countries such as Portugal, France, Ireland, and the United States. In Australia, Portugal, and France, public access to the database is restricted. However, in the United States public access is allowed. Like in other countries, the creation of Australia’s database aims to protect the public from violent sexual crimes and deter convicted sexual offenders, especially those against minors. In Australia, data maintenance in the database ranges from 8 years to lifetime registration. This duration is comparable to the United States. Unlike Portugal and France, where registration is not lifelong, and Ireland, where it is indefinite. Australia’s data retention period depends on the severity of the crime committed, aligning with practices in Portugal, France, Ireland, and the United States.

7. Canada

In response to a tragic crime against a child, Canada established a sexual offender registry. In 2004, after the murder of eleven-years-old Christopher Stephenson, the Sexual Offender Information Registration Act (SOIRA) was approved. SOIRA implemented the National Sexual Offender Registry, mandating designated sexual offenders convicted of court-ordered sexual crimes to annually report to the police (SOIRA, 2004).

7.1 Conviction and permanence of data on sexual offenders in the database

Depending on the maximum sentence length for the crime committed, sexual offenders in Canada must register for ten years, twenty years, or for life under SOIRA. SOIRA's primary objective is to assist police in investigating sexual assault crimes. In Canada, public access to the registry is not permitted (SOIRA, 2004).

Table 6 - Conviction and Permanence of Data on Sexual Offenders Database in Canada

Conviction	Permanence of data on sexual offenders database
2 to 5 years	10 Years
10 to 14 years	20 Years
More than one crime	For life

Source: Data collected in royal canadian mounted police national sex offender registry: Helping police service investigate crime of a sexual nature (Newburn, 2011)

Canada established a database of sexual offenders, similar to those found in other countries such as Portugal, France, Ireland, the United States, and Australia. The creation of Canada's sexual offender database followed a tragic incident involving the murder of a child by a sexual offender, a scenario also witnessed in the United States. In Canada, unlike Portugal, France, and Ireland, the public does not have access to the database; whereas in the United States, public access is permitted. Maintenance of data in Canada's database ranges from 10 years to lifetime registration, similar to the policies in the United States and Australia, where registration is lifelong. This differs from Ireland, where registration

is indefinite, and contrast with Portugal and France, where registration is not lifelong. In Canada, as in Portugal, France, Ireland, the United States, and Australia, the duration of data retention depends on the severity of the crime committed.

8. Comparative analysis

We seek to present data on penalties as well as the permanence of data in the database of sexual offenders between the different Countries that are Portugal, France, Ireland, United States of America, Australia, and Canada.

Table 7 - Conviction and Permanence of Data on Sexual Offenders Database between Portugal, France, Ireland, The United States of America, Australia, and Canada

Country Conviction	Permanence of data on sexual offenders database
Portugal	
Convicted with a criminal sentence of up to 1 year or a fine	5 Years
Convicted with a criminal sentence exceeding 1 years and not exceeding 5 years	10 Years
Convicted with a criminal sentence exceeding 5 years and not exceeding 10 years	15 Years
Convicted with a criminal sentence exceeding 10 years	20 Years
France	
Convicted with a criminal sentence equal 10 years 30 Years	
Convicted with a criminal a criminal sentence applied to other situation 20 Years	
Ireland	
Convicted to suspended sentence	5 Years
Convicted with a criminal sentence of up to 6 months	7 Years
Convicted with a criminal sentence of 6 months to 2 years	10 Years
Convicted with a criminal sentence exceeding 2 years.	Undetermined Time

United States of America	Tier I	15 Years
	Tier II	25 Years
	Tier III	For Life
Australia		
A class two felony	8 Years	
Two class 2 felony	15 Years	
Two or more crimes	For Life	
Canada		
2 to 5 years	10 Years	
10 to 14 years	20 Years	
More than one crime	For Life	

Source: Collected data mentioned in previous tables

Regarding the table 7, we can conclude:

In Portugal, France, Ireland, the United States, and Australia, the duration of data maintenance depends on the crime committed. The maintenance period is longer in France than in Portugal. In Portugal and France, registration is not for an undetermined time, unlike what happens in Ireland. Canada, the United States, and Australia have the same length of stay for data in the sexual offenders database, where registration is for life. Compared to Portugal and France, registration is not for life. Contrary to what happens in Ireland, where registration is for an indefinite period.

9. Discussion

This study aimed to characterize the various databases of sexual offenders existing in several countries worldwide, including Portugal, France, Ireland, the United States of America, Australia, and Canada, and to identify the differences among them. Another objective was to understand the duration for which data on sexual offenders are retained in these databases, who can access this information, and whether judicial authorization is required for access. According to our study, preventing sexual crimes is particularly challenging because

perpetrators are often individuals close to the victim, including family members or acquaintances. In the literature, authors like Vanzile-Tamsen, Testa, and Livingston (2005) argue that most sexual crimes are committed by someone close to the victim. Additionally, Snyder (2000) found that nearly 50% of children under six years old and 42% of children aged six to eleven have experienced abuse perpetrated by a family member.

Our study also revealed that while databases include sexual offenders who have committed crimes against minors, many offenders commit these crimes for the first time. As noted by Sandler, Freeman, and Socia (2008), in New York from 1986 to 2008, 95% of sexual crimes recorded were committed by someone with no prior criminal record.

It was also evident from our study that inclusion in a database does not necessarily predict reoffending among sexual offenders convicted of crimes against minors. According to Hanson and Morton-Bourgon (2005), unlike other types of criminals, only 14% of sexual offenders reoffend within five years, as indicated by research findings.

Our study suggests that the most effective approach to reducing recidivism is through treatment accompanied by social reintegration services. While imprisonment serves to impress upon offenders the gravity of their actions, treatment can effectively prevent repeat offenses. Authors like Schmucker and Lösel (2015) argue that treating sexual offenders reduces recidivism, with supporting studies (see Lösel & Schmucker, 2005; Schmucker & Lösel, 2008, for review).

Our findings indicate that individuals labeled as sexual offenders face significant challenges reintegrating into society, often experiencing stigma, especially in employment and social interactions, as highlighted by several authors (Bowen, Frenzel, & Spraitz, 2016; Evans & Cubellis, 2015; Mercado, Alvarez, & Levenson, 2008).

Moreover, across to sexual offender databases may inadvertently increase risks to offenders' safety and freedom due to public outrage surrounding sexual crimes. Human Rights Watch (2024) notes that residency restrictions and community notification laws can isolate registrants from necessary support networks for rehabilitation, potentially exposing them to violence and harassment.

“Sexual crimes against minors or adults have a brutal psychological and emotional impact. Ensuring offenders undergo comprehensive treatment and social reintegrations programs is crucial to prevent future offenses”

While sexual offender databases aim to prevent sexual crimes, our study questions their efficacy in reducing recidivism, particularly when offenders have close relationships with their victims or reside in the same household.

10. Conclusion

Regarding access to the database of sexual offenders, it is evident that sexual crimes provoke significant social outrage and may compromise the freedom and safety of offenders. Currently, only those who commit crimes against minors are included in the sexual offender database. We reflect if offenders who commit crimes against adults should also be included, because sexual crimes are inherently serious regardless of the victim's age. Excluding offenders who victimize adults may convey a message that these crimes are less severe or that such offenders go unpunished. Crimes against minors or adults have a brutal psychological and emotional impact on the victims, huge severity.

Access to the content of the sexual offender database is restricted in countries such as Portugal, France, Ireland, Australia, and Canada, where judicial authorization is required for access. This differs from United States of America, where access is more freely available.

Restricting public access is crucial to prevent misuse of offender's personal information, which could jeopardize their security. However, it's important to note that easy access to criminal records does not necessarily prevent sexual crimes, especially since many are perpetrated by individuals close to the victim.

The duration for which data is maintained in the sexual offender database varies by country. In the United States, Australia, and Canada, registration is lifelong, whereas in European countries like Portugal and France, it is not necessarily lifelong. Ireland maintains registration for an indefinite period. This disparity reflects differing legal and social approaches to managing sexual offenders across these regions.

Despite the existence of sexual offender databases, they alone do not effectively prevent sexual crimes. Many offenders are not listed due to lack of prior convictions, and first-time offenses are common. While inclusion in the database does not predict reoffending, treatment programs can significantly reduce recidivism among those who receive them. Ensuring offenders undergo comprehensive treatment and social reintegration programs is crucial to prevent future offenses.

We believe that treatment for all sexual offenders should be comprehensive and multidisciplinary, regardless of the specific crime committed. Likewise, it is crucial for victims of sexual crimes to receive effective psychological and psychosocial support. This not only helps prevent potential risk factors that could lead them to engage in deviant behavior, including sexual aggression, but also addresses broader psychological and social consequences. Providing adequate support can reduce the risk of revictimization, promote emotional recovery, and foster healthier coping mechanisms, ultimately contributing to both individual well-being and public safety. There is still much progress needed in preventing sexual crimes. Prison serves to convey the seriousness of offenders' actions, but prolonged incarceration can hinder their reintegration into society. Effective treatment and social support are essential for offenders to reintegrate successfully and reduce the likelihood of reoffending.

In conclusion, the societal stigma faced by sexual offenders after serving their sentences complicates their ability to find employment

and rebuild social relationships. Balancing public safety with the rights and rehabilitation of offenders remains a complex challenge. Integrating robust treatment and resocialization programs into the criminal justice system is essential to effectively combatting sexual crimes and promoting community safety.

Thinking about effective preventive measures in the field of sexual crime brings us face to face with the great complexity of this multi-determined and multifaceted reality. The widely recognized, overwhelming negative impact cross-cutting and long-lasting for all involved (victims, offenders, families, the community, and society) — confronts us with the urgent need for continuous research, debate, and reflection.

11. Limitations and suggestions

This study acknowledges several limitations primarily stemming from the scarcity of references on this topic. Conducting a systematic review was challenging due to the limited availability of comprehensive studies, which hindered a more extensive and critical analysis. Therefore, we recommend further research to enrich the understanding of sexual offender databases.

To enhance the scope and depth of future studies, it would be beneficial to include additional countries that maintain databases of offenders convicted of sexual crimes. Comparing practices and outcomes across a broader range of jurisdictions would provide valuable insights into effective strategies for managing sexual offenders and enhancing public safety.

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