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REGISTRATION OF SEX OFFENDERS: PRACTICES IN MALAYSIA AND THE UNITED KINGDOM

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Abstract:

This article pertains to the registration of sex offenders (RSO) systems in the United Kingdom and Malaysia, including their underlying philosophical approaches as well as structural and operational frameworks. Malaysia's system, which was established in 2019 as the Children's Register under the Child Act 2001, is distinguished by a welfare-centric approach that focuses solely on sexual offences against children. However, the United Kingdom's Violent and Sex Offenders' Register (ViSOR), which was established in 2003, operates within a criminal justice system that encompasses a broader spectrum of offences against all potential victims. This paper reveals significant disparities of the RSO in both nations regarding operational efficiency and governance strategies by examining institutional structures, crime coverage, data collection techniques, registration periods, and access policies. In contrast to the United Kingdom's phased approach, which employs risk-based review procedures and organised disclosure programmes, the Malaysian system prioritises child safety through a centralised administrative model that includes implied lifetime registration obligations. Analysis demonstrates that these conflicting strategies underscore diverse equilibria between criminal rehabilitation and public safety concerns. The results demonstrate potential strategies for enhancing Malaysia's expanding system, including implementing active notification policies, establishing risk-based registration periods with transparent review processes, and enlarging interagency cooperation. This article contributes to the academic discourse on the balance between public safety requirements and rehabilitation objectives in sex offender management systems, which is particularly relevant for developing countries striving to enhance preventive measures while ensuring proportionality and efficacy.

Keywords:

Child Protection, Correctional Intervention, Criminal Law And Justice, Offender Rehabilitation, Sex Offender Registration, Sexual Offences

Introduction

The majority of governments worldwide have implemented a variety of strategies to address sexual offences that occur within their respective countries. The registration of sexual offenders (hereinafter referred to as RSO) is one of the measures employed. A centralised database system that maintains the identity of individuals who have been convicted of sexual offences is generally referred to as RSO. The primary goal of the RSO is to enhance the safety of the community and prevent recidivism or the repetition of offences by sex offenders. RSO enables law enforcement and the public to be informed about the movement and presence of convicted sex offenders in a community. The RSO can also be employed by law enforcement to monitor and detain individuals for investigation and to apprehend known or suspected perpetrators of new sexual offences.

The RSO mechanism has emerged after the 20th century due to the determination and dedication of law enforcement and the public to enhance the surveillance of known perpetrators. These holdings and endeavours are influenced by their concern regarding sex offenders, who are perceived to be at a high risk of committing similar offences against the most vulnerable members of society (Logan & Prescott, 2021). Currently, RSO is implemented in numerous countries, with varying methods of operation and the scope of authority, depending on the country. The scope of allocated jurisdictions, policy mandates, legal frameworks, and local values, including culture, all contribute to the variation in these similarities and differences.

The Malaysian sex offender registration system was set up in 2019 under the Child Act 2001. It is a notable but narrowly-focused child protection tool that merits close inspection. Though welfare-oriented, Malaysia's registry has major implementation issues, including ambiguous registration periods, poor interagency cooperation, passive data collection methods, and limited access policies. These structural constraints could reduce its efficacy in reducing recidivism among sex offenders targeting minors. Moreover, the lack of clear registration review or termination clauses causes proportionality issues that could impede rehabilitation efforts. Developing this relatively new system presents Malaysia with a difficulty that established registries like the United Kingdom's RSO have handled via decades of operational improvement: it must strike a balance between protective surveillance and fair chances for offender reintegration. Approximately 2,832 individuals are registered in the ViSOR system in the United Kingdom as of 2024. This figure represents approximately 0.0041% of the population registered on ViSOR, as the United Kingdom population estimate for 2024 is approximately 69,138,192 (Office for National Statistics, 2024; Home Office, n.d.). In contrast, as of 2024, there are no publicly available statistics regarding the extent or coverage of the registry in Malaysia.

This article aims to discuss the practice of RSO in Malaysia. Additionally, this article will highlight RSO applications in the United Kingdom. Several significant aspects of RSO practices are discussed. It also provides a comparative analysis pertinent to implementing the

RSO in the United Kingdom and Malaysian contexts. Subsequently, this article will provide conclusions that encompass the critical elements that were examined, in addition to pertinent suggestions.

Methodology

This qualitative legal writing used documentary analysis as its primary methodological tool. Examining sex offender registration policies across jurisdictions, the study's comparative character made this approach especially suitable (Silverman, 2020). Data gathering was concentrated on primary and secondary sources from Malaysia and the United Kingdom. Legislative texts—Child Act 2001 and Sexual Offences Against Children Act 2017 in Malaysia; Sexual Offences Act 2003 in the United Kingdom—parliamentary discussions, and official government policies published between 2001-2024 included primary materials. Academic literature, policy papers, and media reports published between 2010 and 2025 made up secondary sources. Using comparative legal analysis methods, data analysis methodically looked at similarities and variations between jurisdictions on: (1) registration frameworks, (2) extent of offences covered, (3) categories of data collected, (4) registration periods, and (5) access protocols. Content analysis was used to find underlying rationales and theoretical grounds. Among the research constraints are limited access to thorough data on Malaysia's relatively new registry system and the private character of some operating elements in both systems. Wherever feasible, triangulation of several sources was used to offset these shortcomings. The sex offender registration frameworks in Malaysia and the United Kingdom were carefully reviewed through comparative legal analysis in the analytical process. Institutional structure, offence coverage, data requirements, registration duration, and access protocols were the five dimensions used to code the documents. Through the triangulation of multiple sources, the comparative analysis assessed the practical implications, evaluated the philosophical foundations, and identified structural differences to surmount data limitations.

Theoretical Foundations: Striking a Balance Between Rehabilitation and Public Safety

Sex offender registry systems' worldwide application highlights a fundamental conflict between two opposing forces. Public safety, on the one hand, calls for strong surveillance systems to shield at-risk groups from possible recidivism. Rehabilitation goals, on the other hand, call for routes for criminals to rejoin society (Khan, Nisar, & Kanwell, 2023). This tension shows up in different approaches to registration systems. Understanding these systems depends on risk management theory, which offers a vital basis suggesting that efficient sex offender management calls for evidence-based assessment tools accurately categorising risk levels and distributing resources accordingly (Mydlowski & Turner-Moore, 2025). At the same time, the desistance paradigm has become more important in criminal justice research since it implies that most offenders, including those who commit sexual crimes, can stop engaging in criminal activity employing cognitive transformation, social support, and opportunity structures (Mihăilă et al., 2025). Successful registration systems must therefore negotiate this tricky terrain, striking a balance between surveillance needs and reasonable actions that do not unduly hinder rehabilitation chances.

RSO Application in Malaysia

Main Framework of Registration

The Government of Malaysia initiated the RSO on April 1, 2019. The database system of children who are victims of sexual offences and the perpetrators implicated, the Children's

Register, is a database system instituted by the Child (Amendment) Act 2016 (A1511). It contains the information. Section 118 of the Child Act 2001 explicitly mandates the type of information that is maintained in the RSO. As a result of the occurrence of sexual cases against minors, the RSO system was developed. Richard Huckle, a British serial paedophile, is one of the most horrifying cases. He sexually violated numerous infants and children in Malaysia while assuming the identity of a teacher. The RSO that was developed is specifically responsible for the recording of data on individuals who commit sexual offences against children under Malaysian law, particularly the Sexual Offences Against Children Act 2017.

The primary objective of the RSO that was developed in Malaysia is to enhance the surveillance and prevention of sex offenders from participating in the employment sector that enables them to interact with or approach minors. It aims to eliminate individuals who will interact with or supervise minors (House of Representatives' Debate, 2016). The precise number of names registered in the Malaysian RSO for sexual offences against minors was not disclosed. According to Asia Times (2019), approximately 3,000 names were registered between 2017 and February 2019. The Ministry of Women, Family and Community Development maintains the RSO, which can be accessed by applying to the Director General of the Social Welfare Department, a government agency under the Ministry. The Ministry is responsible for maintaining the RSO due to its primary involvement in the administration, empowerment, and protection of children in Malaysia.

Offences Subject to Registration

All pertinent statutes, such as the Child Act 2001, the Sexual Offences against Children Act 2017, and the Penal Code, contain provisions regarding sexual offences against children in Malaysia that are subject to the RSO. Sexual assault, rape, physical sexual assault, child pornography, child prostitution, and prostitution are the sexual offenses in contention. Following the approval of amendments to the Child Act 2001, the Children's Register has been expanded to include information on offenders for crimes, including sexual offences, under any written law in which a child has been a victim, as per the Ministry of Women, Family and Community Development (2017). Following the enactment of the Sexual Offences Against Children Act 2017, the data collected pertains to sexual offences against children that have been adjudicated in court after July 10, 2017. This is indicative of the government's emphasis on data-driven decision-making.

Based on the Registration of Criminals and Undesirable Persons Act 1969, the RSO is more specific than the current centralised criminal register administered by the Royal Malaysian Police. This is since the RSO is restricted and focuses on data regarding sexual crimes against minors, whereas the criminals' register encompasses the records of perpetrators for a variety of crimes (Md Salleh & Isa, 2018). Though it has a restricted concentration on child victims, which distinguishes it from more comprehensive worldwide systems, the Malaysian method of sex offender registration represents a significant step forward in the country's child protection system. According to research, while specialised sex offender registries geared only at child protection may be beneficial, they may create gaps in tracking offenders who first target children but later attack adults. Furthermore, while administratively simpler, Malaysia's welfare-centric approach may lack the integrated risk assessment features that have proven beneficial in more developed registries, limiting its preventative capacity (Barros et al., 2022). In addition to sexual offences under the Malaysian Penal Code, including rape and sexual assault, the criminal register encompasses other types of offenses under the Malaysian Penal

Code, as well as offenses against the person, including kidnapping, organised crime, terrorism crimes, property crimes, and drug-related crimes. The First and Second Schedules of the Registration of Criminals and Undesirable Persons Act 1969 contain a comprehensive enumeration of each registrable offence.

Types of Data in Registration

The data documented in the Children's Register in Malaysia as an RSO pertains to the specifics of sexual offenders against children who were found guilty in court following the enforcement of the Sexual Offences against Children Act 2017 on July 10, 2017. By international standards for the protection of juveniles and Section 91(3) of the Minors Act 2001, the exemption for data recording is granted to juvenile offenders and minors under 18. (U.S. Department of Justice, 2022).

The judiciary and the police are the sources of the data recorded in the registry regarding sex offenders. The Malaysian RSO initially included information regarding each case or suspected case of a child in need of protection, as well as any other relevant matters as determined by the Director General from time to time, as stipulated in section 118 of the Child Act 2001. The Children's Act 2001, which was amended in 2016, introduced a new subsection 119(aa) that includes information regarding offenders convicted of any offences against children as victims in the Children's Register. The types of details of sex offenders covered in the RSO in Malaysia are not expressly disclosed in the existing literature, which includes official and unofficial government documents. In addition, no information was obtained regarding the necessity or process for the notification of data details by sex offenders against minors who have been convicted of their offences. The apparent lack of thorough knowledge on data collecting criteria for sex offenders in Malaysia's register calls into doubt the operational efficacy of the system. Research indicates that the effectiveness of a register depends on thorough data collecting; studies reveal that systems needing proactive reporting by offenders and regular updates are more likely to reduce recidivism (Beard, 2023). International data indicates that the most successful registries keep thorough, frequently updated information supporting monitoring and risk assessment tasks. Therefore, this shortcoming in Malaysia's system might compromise its preventative objectives (Ansbro & Fitzgibbon, 2024).

Registration Period

In the extant literature, including official government documents and media reports, no information can be tracked regarding the period of data registration for convicted sex offenders. Notably, the regulations currently in effect, including the Child Act 2001, do not suggest that such data registrations can be removed. This indirectly demonstrates that the process of registering information regarding sex offenders against minors is everlasting.

Access to Registration

The RSO is not accessible to the public. However, it is accessible to police officers, tribunals, and child protection team members by the provisions found in Section 120 of the Child Act 2001. Additionally, certain individuals, such as those engaged in legitimate research and individuals or groups of individuals who access the data for child protection purposes, are permitted to examine the RSO. Parents, employers, and personnel in the employment sector interacting with children are among the individuals in question. These individuals are granted access to the RSO only after obtaining authorisation from the Director General of the Social Welfare Department.

Employers or parents who are interested in hiring employees in a specific field, such as childcare, childcare in dormitories, daycare centres, or other institutions, education, medical or health in hospitals or clinics, transport, sports or recreation, or any other employment sector defined by the Ministry of Women, Family, and Community Development, may apply to consult the RSO (Social Welfare Department, 2023). The PP revision applies to both current and prospective employees. This is to guarantee that the prospective employee's background is devoid of any history of sexual offences against minors. The District or State Welfare Department Office must submit the individual's identity card number, information about the employer or registration information for the company or organisation, and the essential justification for their application for review in order to make an application to access the RSO. The Appendix contains a unique application form that must be completed in order to apply for the evaluation of sexual offenders' names. Consequently, RSO is perceived as having the capacity to safeguard children by vetting criminals and sexual predators and restricting their access to children.

RSO Application in the United Kingdom

Main Framework of Registration

The RSO that is currently in use in the United Kingdom is the Violent and Sex Offenders' Register (ViSOR). The ViSOR database system is an official database that encompasses both sexual and violent perpetrators. The Sexual Offences Act 2003 authorised the establishment of ViSOR in 2003. Initially, the United Kingdom Sex Offender Register was implemented throughout the country in 1997, by the authority of the Sex Offenders Act of 1997. The previous RSO's role was eliminated with the implementation of Part Three of the Sexual Offences Act 2003. This legislation establishes a new RSO system and more stringent requirements for sex offenders to provide the police with specific personal information in their jurisdiction. Several countries within the United Kingdom, including Wales, Scotland, Northern Ireland, and England, have their own RSO systems. However, the RSO system's description in England and Wales can be applied to the context of Scotland and Northern Ireland, as the application of the RSO system in England and Wales is consistent mainly and can serve as a reflection of the other two countries in the United Kingdom (Schulhofer, 2020).

The National Policing Improvement Agency, which is established under the Home Office, is the primary agency responsible for the management and operation of ViSOR. The National Crime Agency, which had previously been responsible for ViSOR, was superseded by the agency on 7 October 2013, following the enactment of the Crime and Courts Act 2013 (Thomas, 2008). The Home Office is responsible for the supervision of police departments in England and Wales, which are instrumental in the management of registration data in ViSOR. In addition, the administration of this data is also a responsibility of probation services and prison systems in England and Wales. Furthermore, an officer from the Public Protection Unit (primarily the police) monitors each registered sex offender in the vicinity (West Yorkshire Police, 2024). They are responsible for evaluating the risk and supervising the individual to safeguard the community and decrease the probability of future sexual offences. This is accomplished through various methods, such as conducting home visits without prior notification, engaging in discussions with the external services involved with individuals or families, and utilising other forms of intelligence.

Offences Subject to Registration

Sexual acts specified under the Third Schedule of the Sexual Offences Act 2003 are the sexual offences that are subject to ViSOR in the United Kingdom. The list is comprehensive and encompasses a diverse array of sexual criminal offences. Rape, incest, sexual assault, meeting a child after sexual intercourse, possessing indecent images of children, and causing prostitution of females under the age of 16 are all considered "sexual crimes." The database system's comprehensive coverage of the various categories of sexual crimes in ViSOR demonstrates its ability to monitor, investigate, and detect a wide range of sex offenders in the United Kingdom.

The data of sexual offenders who have been warned, convicted in court, or otherwise about sexual offences as outlined in the Third Schedule of the Sexual Offences Act 2003 is not the sole focus of Visor. The RSO also contains data on sexual offenders who have been subject to court orders, such as the Sex Offender Order (SOO), Sexual Restraining Order (SRO), Sex Offences Prevention Order (SOPO), and Sexual Harm Prevention Order (SHPO).

Types of Data in Registration

ViSOR compiles information regarding sexual offenders, including their personal information, convictions, and sentences. The police, prisons, and probation services are the sources of the data entered into the database system. Sex offenders who are subject to ViSOR are obligated to provide the police with information in order to register for this purpose. Sexual offenders are subject to a minimum 12-month community order or imprisonment sentence, which is closely associated with the registration obligation. A person subject to registration requirements must register all details within three days of being charged with registering and within three days of being released from imprisonment (West Yorkshire Police, 2024). The obligation to register is automatically triggered for offenses committed by sexual offenders against minors, such as rape.

The following data types, as shown in Table 1, are included in ViSOR in the United Kingdom:

Table 1: Information in the United Kingdom RSO

Information in the United Kingdom RSO	
	<ul style="list-style-type: none"> <i>Names and other names used, such as the name used on social media, as well as the date on which the name was used</i> <i>Date of birth</i> <i>Home address and date</i> <i>Other addresses occupied for seven or more days in a year, such as a vacation address, for the specified period</i> <i>Any house or private place inhabited or in existence for 12 hours or more where children are living or being</i> <i>Passport, driver's license, or immigration identification card details (if any)</i>

- *Bank accounts, credit/debit cards, post office accounts and savings accounts, including bonds held*
- *National insurance number*
- *Other personal information set out by the Scottish Ministers in the regulations.*

(Source: West Yorkshire Police. 2024; Beard, 2023; Schulhofer, 2020)

The registry should maintain the most recent information regarding sex offenders within ViSOR. The sex offender must update all information in the registry with the police on an annual basis. In addition, the sex offender must notify the police within three days of any changes to their personal information, including their home address and bank account.

Registration Period

ViSOR in the United Kingdom has a period category that is highly comprehensive for the registration of sex offender information. The court's varying sentences for the perpetrator's sexual offence are the reason for the diversity of periods. The minimum period for the entire registration period is five years, while the maximum is the lifetime from the registration date. The registration period of any category is halved if the individual is under 18 years of age at the time of conviction or warning.

Sex offenders who are sentenced to life imprisonment, imprisonment for public protection under section 225 of the Criminal Justice Act 2003, indefinite imprisonment period under Article 13(4) (a) of the Criminal Justice (Northern Ireland) Order 2008, or imprisonment for a term of 30 months or more are subject to a lifetime registration period. Furthermore, the lifetime registration period applies to sex offenders subject to a lifetime restraining order under section 210F(1) of the Criminal Procedure (Scotland) Act 1995, regardless of whether they are hospitalised.

Registration was initially required by Parliament for an indefinite duration (life). Nevertheless, the Lifetime Period Provision was declared invalid by the Supreme Court of the United Kingdom in the case of *R(F) and Another v. Security of State for the Home Dept.* ([2010] UKSC 17). The court determined that the indefinite period was a disproportionate interference with the offender's right to privacy under the European Convention on Human Rights, as it did not allow for an individual assessment of their requirements.

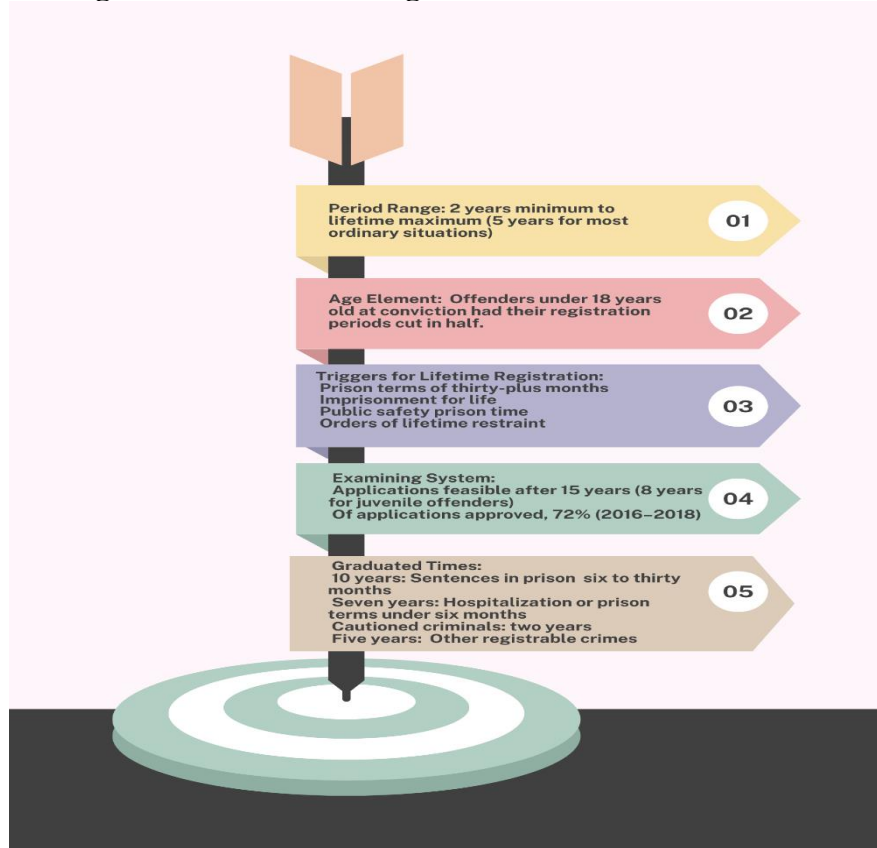
Therefore, the Sexual Offences Act 2003 (Remedial) Order 2012, which was implemented on July 30, 2012, grants sexual offenders who are subject to a lifetime registration period the ability to evaluate the conditions of the unlimited registration period and submit an application for its revocation. (West Yorkshire Police, 2024; UK Home Office & National Police Chief's Council, 2017). After fifteen years have elapsed from his initial notification following his release from incarceration, the applicant may apply to the police for verification. This period is reduced to eight years if the individual is under 18 on the date of conviction. Norton (2020) stated that 72 per cent of sex offenders authorised their applications to release data in the registry between 2016 and 2018. This indicates that the lifetime registration period is not as widely implemented in the United Kingdom, despite the legal requirement for its implementation.

Reflecting a more complex knowledge of offender rehabilitation and desistance, the United Kingdom's tiered system of registration periods marks a significant development in sex offender management. While maintaining public safety, recent studies show that varying registration periods in line with risk levels could better assist with rehabilitation objectives (Cooley, 2022). This method recognises the diversity among sex offenders—that they are not a uniform group needing the same management techniques (van de Weijer et al., 2023). Especially for those who have completed thorough treatment programs and shown behavioural change, the review process for lifetime registrants shows further evidence of the United Kingdom system's development toward evidence-based practices, acknowledging the possibility of desistance from sexual offending (Barros et al., 2022).

In addition, a 10-year registration period is stipulated for sex offenders sentenced to imprisonment for less than 30 months but greater than six months. When the sex offender is hospitalised for his or her offence or findings without being subject to a restraining order and is sentenced to imprisonment for six months or less, the other period implemented is seven years. Furthermore, sex offenders cautioned under section 80(1)(d) in England and Wales or Northern Ireland are subject to a two-year registration period. The final type of period is five years reserved for sex offenders who are obligated to register based on any other description. Furthermore, West Yorkshire Police (2024) have stated that offences that necessitate automatic registration result in a warning and the obligation to register for two years, or one year if the individual is under 18.

The following Figure 1 illustrates the Sex Offender Registration Periods and Review mechanisms in the United Kingdom:

Figure 1: United Kingdom Sex Offender Registration Periods and Review Mechanisms



Access to Registration

Access to RSO in England is typically restricted to law enforcement agencies, such as the police, prisons, and probation services, which are responsible for monitoring sex offenders after they have been released back into the community. Also, private companies that operate prisons are granted access. The data in the registry will not be disclosed to the public, except for specific categories of members who satisfy the prescribed requirements and procedures. The registry of convicted sex offenders against minors in England permits controlled disclosure of data, but it is subject to in-depth application and review, as well as the existence of a very urgent need. Members of the public, including parents, guardians, caretakers, and other interested parties, are permitted to inquire about individuals who interact with children through the Child Sex Offender Disclosure Scheme, also known as Sarah's Law. This is to ascertain any potential ongoing hazards to the children provided for by the applicant. The applicant must sign an undertaking acknowledging the confidentiality of the information and agreeing not to disclose it further after the application has been approved. Additionally, the police have the authority to disclose information regarding criminals, including sex offenders with a history of domestic violence and abuse, to their current or former spouses (West Yorkshire Police, 2024). These provisions are consistent with Clare's Law, which is also known as the Domestic Violence Disclosure Scheme.

Additionally, Multi-Agency Public Protection Arrangements (MAPPA) permit the disclosure of registration data to other agencies that collaborate with police, prisons, and probation authorities to mitigate the risks associated with convicted sex offenders (Schulhofer, 2020). Employers and voluntary organisations may also access the registration data to verify the criminal history of applicants for positions that affect or involve minors, the elderly, or other vulnerable populations.

Critical Comparative Analysis of RSO Practices in Malaysia and the United Kingdom

A comprehensive examination of the registration of sex offenders (RSO) in Malaysia and the United Kingdom reveals substantial legislative, institutional, technical, and operational disparities. This comparison is crucial not only for comprehending the disparities in the methodologies of the two nations but also for identifying optimal strategies that can be implemented in the constantly evolving public safety environment. Based on five critical dimensions—the legal and institutional framework, the scope of the offences covered, the scope of data and updating mechanisms, the duration of registration, and access to and disclosure of information—this section provides a comparative analysis.

Legal and Institutional Framework

The RSO structures of Malaysia and the United Kingdom are fundamentally different regarding their legal and institutional structures. In 2019, Malaysia implemented a sex offender registry as part of the Children's Register, which is governed by the Child Act 2001 (amended in 2016). As a component of the broader child protection mechanism, the system is supervised explicitly by the Department of Social Welfare. In contrast, the United Kingdom has implemented a more sophisticated, multilayered registration system, which began with the Sex Offender Register (1997) and progressed to the more comprehensive Violent and Sex Offenders' Register (ViSOR) in 2003. Law enforcement and public safety are the primary objectives of the National Policing Improvement Agency, a Home Office division. ViSOR is subject to its regulation.

These fundamental philosophies are reflected in the main differences: Malaysia prioritises a welfare-based approach with a particular emphasis on child protection, whereas the United Kingdom uses a broader criminal justice-based model that emphasises overall criminal risk management. A multi-agency risk management approach that is absent in the Malaysian system is underscored by the participation of police, prison, and probation agencies in the administration of ViSOR in the United Kingdom. These discrepancies have significant ramifications for the system's efficacy: the United Kingdom model provides a more comprehensive monitoring network, but at a higher administrative expense, whereas the Malaysian model, despite being more administratively efficient, may encounter difficulty in interagency coordination.

Moreover, the institutional sophistication of the two countries has differed due to the distinct periods of registration development—two decades in the United Kingdom and three years in Malaysia. As evidenced by the amendments that followed the Supreme Court's decision in the case of *R(F) and Another*, the United Kingdom system has undergone numerous rounds of reform in response to operational challenges and judicial decisions, resulting in a more refined and legally tested framework. However, the Malaysian system is still in the early phases of its development, and there is limited legal regulation regarding critical elements such as the registration period and the ability of criminals to verify their registration status.

Scope of Errors Covered

The extent and depth of the faults covered by both systems are significant contrasts, as revealed by the analysis. The Malaysian RSO has a particular focus, which is restricted to sexual offences against minors under the Sexual Offences Against Children Act 2017, the Child Act 2001, and the applicable Penal Code. This provision is consistent with the system's primary objective of safeguarding minors from sexual offenders who commit the same offences on multiple occasions. Conversely, ViSOR United Kingdom encompasses a significantly broader range of offences, including both sexual and violent offences, as outlined in the Third Schedule of the Sexual Offences Act 2003. Furthermore, ViSOR United Kingdom encompasses individuals who are subject to a variety of court orders, including the Sexual Harm Prevention Order (SHPO), thereby expanding the surveillance network beyond those who have been convicted.

These discrepancies are indicative of two distinct viewpoints on risk management. Malaysia's approach is concentrated on safeguarding the most vulnerable populations—children—from specific categories of perpetrators. These strategies offer a more focused and lucid approach; however, they may fail to consider the potential dangers posed by perpetrators who target adults. Conversely, a broader UK approach offers a more comprehensive array of protections; however, this approach may result in increased resource utilisation costs and potential difficulties in risk prioritisation management.

The relevance of this system to more comprehensive risk management policies is a critical observation. The Multi-Agency Public Protection Arrangements (MAPPA) prove that the RSO is explicitly integrated into the United Kingdom model's broader criminal risk management framework. In contrast, Malaysian RSO functions more as a discrete screening instrument for specific sectors, with less formal integration into broader crime reduction strategies.

Data Coverage and Update Mechanism

The comparison of data collection and updating methodologies reveals substantial disparities in the information's scope, rigour, and timeliness. In addition to the fact that the data is obtained from the judiciary and the police, the Malaysian RSO provides limited information regarding the origin of the data and does not provide a detailed description of the categories of data collected. The system is heavily reliant on the accuracy and timeliness of registrations conducted by the authorities, as there is no self-registration or notification obligation imposed on offenders.

In contrast, ViSOR United Kingdom compiles a detailed and comprehensive data set that encompasses fundamental personal information, financial information, residence-related information, and data regarding international movements. The most significant distinction is the active notification obligation which is imposed on offenders. They must register within three days of their conviction or release and update their personal information as it changes. This update mechanism is essential for preserving the system's effectiveness, especially for offenders at high risk or likely to transition between jurisdictions.

These discrepancies significantly impact the reliability and efficacy of the system. Malaysian RSO is susceptible to a decrease in data accuracy over time, which could diminish the value of its screening and monitoring, as it lacks a dynamic update mechanism. However, United Kingdom RSO, despite the high compliance costs for offenders and administrative costs for

authorities, generally maintains a high level of data accuracy, thereby enhancing its operations' effectiveness for criminal investigations and public protection.

Registration Period

Fundamentally distinct legal and risk management philosophies are underscored by comparing registration periods. RSO Malaysia does not precisely describe the registration period, and there is no explicit legal provision for data deletion. This absence implies that registration is unlimited (lifetime) and no review mechanism or withdrawal option exists. This method demonstrates an unwavering commitment to child protection, but it also prompts critical inquiries regarding its influence on the rehabilitation and reintegration of offenders into society.

However, ViSOR United Kingdom provides a variety of periodic registration periods, which vary in length from two years to a lifetime, contingent upon the type of offence and the duration of the sentence. The most critical aspect is the legal recognition of the right of offenders to review registration for life, which the Supreme Court established in the case of *R(F) and Another*. This decision posited that automatic registration for life without review is disproportionate and violates the right to privacy. This significant reform in the Sexual Offences Act 2003 (Remedial) Order 2012 demonstrates a more delicate equilibrium between human rights and public safety.

The fundamental tension in criminal law is reflected in this difference in approach: an equilibrium between the rehabilitation of offenders and public protection. The Malaysian model prioritises public safety by disregarding a lifetime risk reassessment of an offender. The United Kingdom's approach, which continues to prioritise safety, acknowledges that the level of risk can fluctuate over time and has a legal process in place to account for these variations. This approach may provide a more effective balance between the influence on offenders' lives and the ongoing risk assessment, as evidenced by the data that revealed 72 per cent of withdrawal applications were approved (Norton, 2020).

Access and Disclosure of Information

Significant disparities in the methods employed to balance offenders' privacy with the public's protection are revealed through a comparison of access policies. Restricted access is a fundamental principle that is emphasised in both systems, with automatic access for only specific law enforcement agencies and government authorities. Nevertheless, the regulation of exposure mechanisms in the two systems is markedly different.

The Malaysian RSO restricts inspection access to employers in a specialised sector (e.g., schools and childcare centres) and parents, who must obtain specific permission from the Director General of the Social Welfare Department. With a focus on government oversight of information disclosure, this procedure is agency-directed and centralised.

The United Kingdom model, in contrast, offers a more structured approach through two innovative mechanisms: the Child Sex Offender Disclosure Scheme (Sarah's Law) and the Domestic Violence Disclosure Scheme (Clare's Law). Inquiries regarding specific individuals who have access to children or spouses are permitted by these programs, which are subject to a formal risk assessment. This information is disclosed to specific public members, such as parents and caretakers. Additionally, Multi-Agency Public Protection Arrangements (MAPPA) facilitate the controlled exchange of information among agencies that collaborate on risk

management.

These distinctions illustrate diverse perspectives regarding protection obligations. In the Malaysian model, designated government agencies regulate access to information, with somewhat restrictive access policies. This methodology prioritises offenders' privacy and tends to mitigate the risk of information misuse. However, it may impede the capacity of community stakeholders and individual parents to conduct due diligence investigations in child protection. The United Kingdom model adopts a more community-oriented approach, acknowledging the importance of parents and community members in protecting children through controlled disclosure mechanisms. This method gives the public more options for conducting a more vigorous due diligence investigation; however, it necessitates stringent controls to prevent self-justice or improper disclosure.

The RSO system in Malaysia and the United Kingdom can be compared in Table 2:

**Table 2: Comparison of Registry of Sexual Offenders
in Malaysia and the United Kingdom (UK)**

Dimensions	Malaysia (RSO)	United Kingdom (ViSOR)	Key Implications
Institutional Framework	<ul style="list-style-type: none"> • Launched in 2019 • Part of the Children's Register under the Child Act 2001 (amended 2016) • Managed by the Social Welfare Department under the Ministry of Women, Family and Community Development • Welfare-oriented approach 	<ul style="list-style-type: none"> • Established in 2003 (predecessor in 1997) • Separate system under the Sexual Offences Act 2003 • Managed by the National Policing Improvement Agency under the Home Office • Involvement of various agencies (police, prisons, probation) • Criminal justice-oriented approach 	<ul style="list-style-type: none"> • The Malaysian system is more concentrated but less integrated between agencies • The UK system benefits from a longer evolutionary development and refinement of the law • Different philosophical foundations: welfare vs. criminal justice
Scope of Error	<ul style="list-style-type: none"> • Specifically focused on sexual offences against children • Covers offences under the Sexual Offences against Children Act 2017, the Child Act 2001, and the relevant provisions of the Penal Code 	<ul style="list-style-type: none"> • Comprehensive coverage of sexual offences and violence • Includes offences listed in the Third Schedule of the Sexual Offences Act 2003 • Covers individuals subject to court orders (SOO, SRO, SOPO, SHPO) 	<ul style="list-style-type: none"> • Malaysia's specific focus allows for the centralisation of resources on child protection • Wider UK scope offers wider public protection but requires more resources

	<ul style="list-style-type: none"> • Excludes sexual offences against adults 	<ul style="list-style-type: none"> • Includes offences against children and adults 	<ul style="list-style-type: none"> • Different approaches to risk management priorities
Data Collection & Updating	<ul style="list-style-type: none"> • Limited documentation on the types of data collected • Data obtained passively from the judiciary and police • No self-registration or notification requirements for offenders • No clear procedures for updating information 	<ul style="list-style-type: none"> • Comprehensive and detailed data collection • Includes personal, financial, residential, and travel information • Mandatory self-registration within 3 days of conviction/release • Annual verification requirements • Notification of changes within 3 days 	<ul style="list-style-type: none"> • UK systems are likely to maintain higher data accuracy and timeliness • Malaysian systems are at risk of data degradation over time • Important implications for detecting high-risk offenders or those who move frequently
Registration Period	<ul style="list-style-type: none"> • No registration period clearly defined in the legislation • No explicit provision for withdrawal from the register • Implicit lifetime registration • No review mechanism 	<ul style="list-style-type: none"> • Phased period (2 years to lifetime) based on the seriousness of the offence and the duration of the sentence • Review mechanism for lifelong registration (after 15 years, 8 years for juveniles) • 72% of review applications approved (2016-2018) • Registration period reduced by half for offenders under 18 years old 	<ul style="list-style-type: none"> • The UK approach recognises changes in risk levels over time • Malaysia's approach prioritises public safety on a permanent basis • A different balance between public protection and the rehabilitation of offenders
Access & Disclosure	<ul style="list-style-type: none"> • Limited access to police, courts, and child protection team members • Controlled reviews by employers in specific sectors and parents • Access requires specific permission 	<ul style="list-style-type: none"> • Limited basic access to law enforcement agencies • Structured disclosure mechanisms: <ul style="list-style-type: none"> - Child Sex Offender Disclosure Scheme (Sarah's Law) - Domestic Violence Disclosure Scheme (Clare's Law) 	<ul style="list-style-type: none"> • Malaysia emphasises government control over information • The UK facilitates more community-oriented protection

	<ul style="list-style-type: none"> from the Director General of Social Welfare Processes are centralised and directed by agencies 	<ul style="list-style-type: none"> Multi-Agency Public Protection Arrangements (MAPPA) Risk-based approach to disclosure 	<ul style="list-style-type: none"> Different approaches in balancing privacy concerns with public safety needs
Integration with Risk Management	<ul style="list-style-type: none"> Functions primarily as a screening tool Limited integration with broader crime reduction strategies Operates relatively isolated from other criminal justice mechanisms 	<ul style="list-style-type: none"> Integrated in a broader offender management framework Integral components of Multi-Agency Public Protection Arrangements (MAPPA) Supports dynamic risk assessment and management 	<ul style="list-style-type: none"> The UK system offers more comprehensive risk management The Malaysian system operates as a more discrete, specialised tool Different approaches to information systems integration

(Source: The authors' Analysis)

Conclusion

Significant disparities in the structure, operation, and approach of the sex offender registration (RSO) system were identified in a comparative study of Malaysia and the United Kingdom. The RSO system was established in diverse socio-legal contexts, which influenced how both countries balanced the interests of public protection with the recognition of the rights of offenders. The Malaysian RSO, which was established in 2019 as a component of the Children's Register, emphasises a highly focused design and prioritises safety for children. It is distinguished by its institutional installation under a welfare agency, rather than a criminal justice institution, which underscores the organisation's commitment to child protection. Although the system provides administrative simplicity and clarity of purpose, it has some significant limitations, including a highly controlled access process, a clearly defined registration period, and the need for active notification by offenders.

Conversely, ViSOR United Kingdom's registration system is considerably more sophisticated and comprehensive, having undergone numerous cycles of institutional evolution and legislative reform. A dynamic offender risk management tool, the system includes a series of tiered registration periods, active notification requirements by offenders, innovative information disclosure mechanisms such as "Sarah's Law," and, most importantly, provisions for lifetime registration review based on the evolution of risk assessment. This strategy demonstrates a more concerted effort to achieve a balance between the rehabilitation and reintegration of offenders and public safety.

The critical analysis of both systems reveals several significant lessons that can be taken into account for future advancements, particularly in the context of Malaysia's still-evolving RSO system: First, the fairness and effectiveness of the system can be enhanced by developing a

more comprehensive legal framework that determines the duration of registration based on the seriousness of the offence and the level of risk posed by the offender. It is possible to distribute resources more effectively to monitor high-risk offenders and establish recovery pathways for those who exhibit reduced risk by acknowledging that offender risk levels can fluctuate over time. Second, the accuracy and reliability of registration data could be significantly enhanced by implementing active notification requirements and updating mechanisms, as is common in the United Kingdom model. These endeavours are indispensable in maintaining the registry's fundamental functionality as a reliable monitoring and screening tool.

Third, the system's effectiveness can be enhanced by integrating additional agencies engaged in child protection and offender management.. Multi-Agency Public Protection Arrangements (MAPPA) are a feature of the United Kingdom model, which demonstrates an integrated risk management approach that integrates information and oversight from multiple agencies. Fourth, the capacity of RSO to safeguard vulnerable populations without compromising critical data protection and confidentiality requirements can be improved through the implementation of innovative mechanisms for the disclosure of information to pertinent stakeholders, including parents and employers. A controlled paradigm for risk-based disclosures is provided by mechanisms such as 'Sarah's Law' in the United Kingdom.

To guarantee that the system remains pertinent and practical, it is imperative to conduct regular evaluations of its effectiveness, which include monitoring recidivism rates among registered offenders and collecting feedback from stakeholders. Apart from their structural and operational variances, both systems share the fundamental difficulty of balancing criminal rehabilitation, reintegration, and public protection. Studies show that too tight registration criteria might unintentionally impede desistance by generating obstacles to housing, work, and community integration—three essential elements for lowering recidivism (Ansbro & Fitzgibbon, 2024). Furthermore, modern knowledge of sexual offending acknowledges different taxonomies among offenders; whereas most conduct episodic or situational crimes, persistent sexual offenders make up a relatively small proportion of all registered sex offenders (Tenbergen, 2025; Cooley, 2022). This variability shows that tiered systems with customised risk assessment, similar to the United Kingdom model, may more efficiently distribute resources while promoting routes to desistance for eligible candidates (Barros et al., 2022). Including these evidence-based insights will improve Malaysia's protective capability and contribution to more general criminal justice objectives as its system ages.

The comparative analysis presented herein demonstrates that a dynamic, responsive, and consistent approach to broader offender management approaches is necessary for a practical sex offender registry, in addition to data collection. Although the Malaysian RSO is still in the early stages of development, it can integrate best practices and lessons from the more mature United Kingdom model while strongly emphasising local requirements and contexts. Thus, the forthcoming challenge is to create a system that not only functions as a data repository but also as a proactive instrument for risk management, crime prevention, and, ultimately, more effective protection for the most vulnerable to sexual abuse. In order to accomplish this objective, the most effective approach will be evidence-based and informed by the successes and limitations of current models.

In a nutshell, this article achieves its primary objectives of studying and comparing sex offender registration systems in Malaysia and the United Kingdom, finding their philosophical underpinnings, operational mechanisms, and possible areas for improvement. It may benefit stakeholders in numerous ways. It offers a concrete comparison of Malaysia's new RSO system to a well-established worldwide model. Also, it creates an integrated theoretical framework for sex offender registration systems. Further, it finds important research gaps, especially in the welfare effectiveness measurements approach versus the criminal justice-oriented approach. With respect to industry contributions, it provides evidence-based information sharing best practices for child protection professionals. Additionally, it guides legal practitioners on evolving proportionality standards in registration requirements and builds international collaboration to track transnational sex offenders. This article can also make a national contribution. It presents policy suggestions for Malaysia to improve its RSO system while preserving its welfare-centric approach. Moreover, it can provide a framework for the creation of evidence-based sex offender management policy and support child protection initiatives by identifying system integration opportunities.

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