



Freedom of Information Request Reference N°: FOI 001531-19

I write in connection with your request for information received by Suffolk Constabulary on the 23 April 2019 in which you sought access to the following information:

"I am writing to you under the Freedom of Information Act 2000 to request information about your force's use of Section 127 of the Communications Act 2003 and the Malicious Communications Act 1988.

Please disclose, for the calendar years 2015, 2016, 2017 and 2018:

1. *Regarding offences under Section 127 of the Communications Act 2003:*
 - a. *The number of people arrested.*
 - b. *The number of people charged as a result.*
 - c. *The number of people arrested for offences where the internet is used in commission of the offence.*
 - d. *The number of people charged as a result of offences where the internet is used in commission of the offence.*

2. *Regarding offences under the Malicious Communications Act 1988:*
 - a. *The number of people arrested.*
 - b. *The number of people charged as a result.*
 - c. *The number of people arrested for offences where the internet is used in commission of the offence.*
 - d. *The number of people charged as a result of offences where the internet is used in commission of the offence.*

If possible, I would like each arrest and charge to be categorised according to the relevant CJS Code."

Response to your Request

The response provided below is correct as of 9 May 2019

Suffolk Constabulary has considered your request for information and the response is below.

A search has been completed of the Constabulary's crime system for offences recorded under the Communications Act 2003 and Malicious Communications Act 1988.

Please note that the Constabulary does not record these offences under their individual crimes as

we do not differentiate the offences between HO Classification Codes. We can therefore provide information relating to the following amalgamated offence titles:

- Communications Act 2003, Sending or causing sending of grossly offensive / indecent / obscene 'menacing or false message / matter by electronic communications network.
 - Sending letters etc with intent to cause distress or anxiety, Malicious Communications Act 1988.
1. The total number of persons arrested under Section 127 of the Communications Act 2003, is provided in the table below, including the number of persons subsequently charged.

Please note that the Constabulary is only able to supply arrest data from 19 October 2015. Data held prior to this time is held within the Constabulary's legacy system CIS, which is no longer available for bulk data extraction.

Year/Month	Total Offences	Total Charged
2015	2	2
2016	3	
2017	3	2
2018	1	
Grand Total	9	4

The total number of persons arrested for offences where the internet was used to commission the offence, is as follows, including the number of persons subsequently charged.

Please note that 'cyber / online enabled' data is dependent on the offence being correctly inputted into the system, with the relevant markers.

Year	Total	Total Charged
2016	2	
2017	1	1
Grand Total	3	1

2. The total number of persons arrested under the Malicious Communications Act 1998, is provided in the table below, including the number of persons subsequently charged.

Year	Total Offences	Total Charged
2015	20	8
2016	88	34
2017	128	47
2018	154	52
Grand Total	390	141

The total number of persons arrested for offences where the internet was used to commission the offence, is as follows, including the number of persons subsequently charged. Please note the caveat supplied for this aspect of Q1 above.

Year	Total	Total Charged
2015	4	3
2016	23	7
2017	15	5
2018	27	8
Grand Total	69	23

Police forces in the United Kingdom are routinely required to provide crime statistics to government bodies and the recording criteria is set nationally. However, the systems used for recording these figures are not generic, nor are the procedures used locally in capturing the crime data. It should be noted that for these reasons this force's response to your questions should not be used for comparison purposes with any other response you may receive.

Should you have any further queries concerning this request, please contact Clair Pack, FOI Decision Maker, quoting the reference number shown above.

A full copy of the Freedom of Information Act (2000) can be viewed on the 'Office of Public Sector Information' web-site;

<http://www.opsi.gov.uk/>

Suffolk Constabulary is not responsible for the content, or the reliability, of the website referenced. The Constabulary cannot guarantee that this link will work all of the time, and we have no control over the availability of the linked pages.



Your Right to Request a Review of Decisions Made Under the Terms of the
Freedom of Information Act (2000).

If you are unhappy with how your request has been handled, or if you think the decision is incorrect, you have the right to ask Suffolk Constabulary to review their decision.

Ask Suffolk Constabulary to look at the decision again.

If you are dissatisfied with the decision made by Suffolk Constabulary under the Freedom of Information Act (2000), regarding access to information, you must notify Suffolk Constabulary that you are requesting a review within 40 working days of the date of its response to your Freedom of Information request. Requests for a review should be made in writing and addressed to:

*Freedom of Information Decision Maker
Information Management Department
Suffolk Constabulary
Police Headquarters
Martlesham Heath
Ipswich
Suffolk
IP5 3QS
OR
Email: information@suffolk.pnn.police.uk*

In all possible circumstances Suffolk Constabulary will aim to respond to your request for us to look at our decision again within 20 working days of receipt of your request for an internal review.

The Information Commissioner.

After lodging a request for a review with Suffolk Constabulary, if you are still dissatisfied with the decision, you can apply to the Information Commissioner for a decision on whether the request for information has been dealt with in accordance with the requirements of the Act.

For information on how to make application to the Information Commissioner please visit their website at www.ico.org.uk or contact them at the address shown below:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Telephone: 01625 545 700