

20 November 2024

FOI Ref 17489

Request - You asked us the following:

Please could I request the following information under the FOI Act relating to your police service:

- 1) How many people have been arrested for posts on social media? [Helpful background here: <https://www.met.police.uk/advice/advice-and-information/har/harassment-on-social-media/> social media includes things like Facebook, Twitter and Instagram]
- 2) How many people have been charged over social media posts?
- 3) How many people have been convicted over social media posts?

Please could it be broken down into the following years? [I understand records might not go back as far as requested or in the format requested but please provide detail as close as possible to the format requested]

Number of arrests:

2014
2015
2016
2017
2018
2019
2020
2021
2022
2023
2024

Number of charges:

2014
2015
2016
2017
2018
2019
2020
2021
2022
2023
2024

Number of prosecutions:

2014

2015
2016
2017
2018
2019
2020
2021
2022
2023
2024

We received your request on 20/11/2024 and have processed this under the Freedom of Information Act (FOIA).

Staffordshire Police's response to your enquiry is as follows:

In accordance with Section 17(1) of the Freedom of Information Act, this letter represents a refusal notice for this particular request.

The following exemption has been applied:

- Section 12(1) where the cost of compliance exceeds the appropriate limit.
- Section 12(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the prescribed limit'.

The above information has been withheld for the following reasons:

There is no method by which we can readily retrieve information from our systems to answer this request. Between May 2020 and November 2024, there have been in excess of 2,700 arrests for offences of harassment or malicious communications. In order to ascertain whether the arrest was due to posts made on social media, the record for each arrest would require manual review. Further review would be required in order to determine whether charges were brought against each individual.

From dip sampling, it has been estimated that it would take approximately 3 minutes to review each record to answer this request, this would equate to over 135 hours. To achieve this task would therefore exceed the 18-hour time and cost threshold of the Freedom of Information Act by some considerable margin.

In addition, it is not possible to retrieve arrest data prior to May 2020. This is because on 20th May 2020 Staffordshire Police implemented a new case management system. This system brought data from a number of legacy systems into one to provide a single nominal record, including the custody system. The old custody system has now been decommissioned and as a result there is no search facility to be able to retrieve the requested data. It would entail searching thousands of records to establish if it fitted the criteria of the request. To achieve this task would exceed the 18-hour time and cost threshold stipulated by the Freedom of Information Act.

Advice and assistance

Section 16 of the Act places an obligation upon the Authority to provide advice and assistance, in order to comply with this obligation please see below.



STAFFORDSHIRE
POLICE

Unfortunately, we cannot suggest a way in which your request could be simplified or pared down in order to bring it within the confines of the time and cost threshold.

Furthermore, Staffordshire Police do not hold conviction data. We would advise that you approach the Government HM Courts & Tribunals service website.

Please find below links to previously disclosed HMCTS data and details upon how to submit a further Freedom of Information request to the Government HM Courts and Tribunals Service for this information. Make an FOI request - [how to make a request](#).

Check [our previous releases](#) to see if we've already answered your question - [our previous releases](#)

Make a new request by using the details below.

FOI requests

Disclosure Team

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102 Petty France

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United Kingdom

Email

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Freedom of Information Request Appeals Procedure

1. Who Can Ask for a Review

Any person who has requested information from Staffordshire Police, which has been dealt with under the Freedom of Information Act, is entitled to complain and request an internal review, if they are dissatisfied with the response they received.

2. How to Request a Review

Requests for review of a Freedom of Information request must be made in writing within two months of the date of receipt of this email, and should be addressed to:

foi@staffordshire.police.uk

Or by Post to:

Central Disclosure Unit

Staffordshire Police HQ

PO Box 3167

Stafford

ST16 9JZ

The reference number, date of the request and details of why the review is being requested must be included. Requests for review should be brought to the attention of the Central Disclosure Unit within two months of the Force's response to the original FOI request.

3. Review Procedure

Receipt of a request for review will be acknowledged in writing. The review will be conducted by another Decision Maker who is independent from the original Decision Maker. The Central Disclosure Unit will set a target date for a response. The response will be made as soon as is practicable with the intention to complete the review within 20 working days. In more complex cases the review may take up to 40 working days.

The independent Decision Maker will conduct a review of the handling of the request for information and of decisions taken, including decisions taken about where the public interest lies in respect of exempt information where applicable. The review enables a re-evaluation of the case, taking into account the matters raised by the complaint.

4. Conclusion of the Appeal

On completion of the review the Independent Decision maker will reply to the complainant with the result of the review. If the complainant is still dissatisfied following the review they should contact the Information Commissioner to make an appeal. The Information Commissioner can be contacted via the following details:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

ICO Website for complaints link: <https://ico.org.uk/make-a-complaint/foi-and-eir-complaints/foi-and-eir-complaints/>

Freedom of Information
Central Disclosure Unit