

9 December 2025

FOI Ref 22196

Request - You asked us the following:

I hope this email finds you well. I am making this request under the Freedom of Information Act 2000.

From all arrests in the calendar year 2024 recorded by Staffordshire Police, where either of the following offences is recorded on the custody record (whether as the main or a secondary offence):

- Section 127(1) Communications Act 2003
- Section 1 Malicious Communications Act 1988

please select up to 40 arrests using a neutral method (for example, a simple random selection or, if that is not practicable, the first 40 eligible arrests by date in 2024).

For each arrest in that sample, please provide:

1. An anonymised reference (e.g. A1, A2, A3 etc.)
2. The date of the arrest (month and year only, e.g. May 2024)
3. Which of the above offences is recorded (s.127(1) Communications Act 2003, s.1 Malicious Communications Act 1988, or both)
4. The existing short "offence summary" / "crime summary" / "custody record description" / "modus operandi (MO)" text (or equivalent field) that describes the communication or conduct

I am not seeking any direct identifiers. In particular, I do not require:

- Names of suspects, victims or witnesses
- Exact addresses or postcodes
- Dates of birth
- Exact times of day

I am content for you to redact or generalise any information you consider necessary to prevent individuals from being identifiable (e.g. replacing names with "[male]", "[female]" etc.). If, after attempted redaction, you consider that a particular record still cannot be anonymised adequately, I am content for you to simply omit that record from the sample and instead include another eligible arrest.

In order to remain within the cost limit, this request is deliberately limited to 2024 and a maximum of 40 arrests. If providing offence summaries for 40 offences would still exceed the cost limit under section 12 of the Act, please instead provide the largest number of sample offence summaries that you can within the cost limit, and state how many arrests were included in the final sample. If there were fewer than 40 eligible arrests in 2024, please include as many as would remain within the cost limit. If there were no eligible arrests, please state this.

If it is not reasonably practical to draw a random sample and you choose another neutral method, please state the method used.

If any part of this request is unclear, or you consider that a minor re-wording would allow it to be answered more easily within the FOIA cost limits, I would be grateful for your advice and assistance under section 16 of the Act.

We received your request on 01/12/2025 and have processed this under the Freedom of Information Act (FOIA).

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

Staffordshire Police (SP) holds the requested information.

- From all arrests in the calendar year 2024 recorded by Staffordshire Police, where either of the following offences is recorded on the custody record (whether as the main or a secondary offence):
 - Section 127(1) Communications Act 2003 – **Disclosed, please see the accompanying file entitled 'FOI 22196 Communications Act Data'.**
 - Section 1 Malicious Communications Act 1988 – **Disclosed, please see the accompanying file entitled 'FOI 22196 Communications Act Data'.**

Please be advised this data has been provided where the arrest reason is Section 127(1) Communications Act 2003 or Section 1 Malicious Communications Act 1988.

- please select up to 40 arrests using a neutral method (for example, a simple random selection or, if that is not practicable, the first 40 eligible arrests by date in 2024). – **Partially disclosed, please see the accompanying file entitled 'FOI 22196 Communications Act Data'.**

For each arrest in that sample, please provide:

1. An anonymised reference (e.g. A1, A2, A3 etc.) – **Partially disclosed, please see the accompanying file entitled 'FOI 22196 Communications Act Data'.**
2. The date of the arrest (month and year only, e.g. May 2024) – **Partially disclosed, please see the accompanying file entitled 'FOI 22196 Communications Act Data'.**
3. Which of the above offences is recorded (s.127(1) Communications Act 2003, s.1 Malicious Communications Act 1988, or both) – **Partially disclosed, please see the accompanying file entitled 'FOI 22196 Communications Act Data'.**
4. The existing short "offence summary" / "crime summary" / "custody record description" / - **Partially disclosed, please see the accompanying file entitled 'FOI 22196 Communications Act Data'.**

Please be advised that this data has been extracted from our custody database for the 01/01/2024 to 31/12/2024. The first 20 have been extracted for Section 127(1) Communications Act 2003 and Section 1 Malicious Communications Act 1988. This data has been disaggregated to avoid individuals being identified.

The following exemption has been applied:

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

- **Section 40(2) Personal Information**

Section 40(2) is an absolute exemption which means that there is no need to quantify the harm that may arise from the disclosure; neither is it subject to a public interest test.

To release personal or third-party information held by Staffordshire Police, would breach the data protection principles; namely –

- Data is lawfully and fairly processed.
- Processed in line with an individual's rights.
- Data is secure.

Personal and third-party information cannot be released under the Freedom of Information Act.

Disclosure under Freedom of Information is a release of information to the world in general and not an individual applicant.

Please note that this data has been provided to the best of the ability of SP, subject to the limitation of current recording protocols and systems/software. Additional offences may have been recorded during these timescales but are awaiting finalisation and input onto these systems and would not be present within this dataset.

Every effort is made to ensure that the data presented is accurate and complete. However, it is important to note that this has been extracted from multiple sources, developed for specific policing purposes, for which data extraction methods have not been specifically designed to directly correlate with the terminology of this request. Therefore, the data presented is subject to the inaccuracies and idiosyncrasies inherent in any large-scale recording system.

Consequently, care should be taken in the interpretation and presentation of this data, to not misrepresent the whole or any part of the data disclosed.

Please be advised that all Freedom of Information request responses are published on the SP website although personal details are not included.

Freedom of Information Request Appeals Procedure

1. Who Can Ask for a Review

Any person who has requested information from SP, 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:

IAT@staffordshire.police.uk



STAFFORDSHIRE
POLICE

Or by Post to:

Information Access Team
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 Information Access Team within two months of the SP 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 a supervisor who is independent from the original Decision Maker. The Information Access Team 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 twenty working days. In more complex cases the review may take up to forty working days.

The independent supervisor 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, considering the matters raised by the complaint.

4. Conclusion of the Appeal

On completion of the review the independent supervisor will reply to the appellant with the result of the review. If the appellant 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 link: <https://ico.org.uk/make-a-complaint/foi-and-eir-complaints/foi-and-eir-complaints/>

Freedom of Information
Information Access Team