



Gloucestershire Constabulary Freedom of Information request 2023.0348

On 28 March 2023 you sent an email constituting a request under the Freedom of Information Act asking the following:

In your force, between 1st January 2018 and the 28th March 2023 (1913 days), ...

- *How many crime reports (overall) have been recorded whereby the victim was subjected to any form of harassment, alarm, or distress (including any racial, sexual, religious, or related aggravating factors)) whilst within a Virtual Reality environment/platform?*
- *How many crime reports have been recorded whereby the victim was subjected to either a S4, S4A or S5 Public Order Act 1986 offence (fear, harassment, alarm, or distress (including any racial, sexual, religious, or related aggravating factors)) whilst within a Virtual Reality environment/platform?*
- *How many crime reports have been recorded and dealt with under the Protection from Harassment Act 1997, whereby the victim was subjected to fear, harassment, alarm, or distress (including any racial, sexual, religious, or related aggravating factors) whilst within a Virtual Reality environment/platform?*
- *How many crime reports have been recorded and dealt with under the Communications Act 2003, whereby the victim was subjected to fear, harassment, alarm, or distress (including any racial, sexual, religious, or related aggravating factors)) whilst within a Virtual Reality environment/platform?*
- *How many crime reports have been recorded and dealt with under the Malicious Communications Act 1988, whereby the victim was subjected to fear, harassment, alarm, or distress (including any racial, sexual, religious, or related aggravating factors)) whilst within a Virtual Reality environment/platform?*
- *How many crime reports have been recorded and dealt with under another legislation (not listed above), whereby the victim was subjected to fear, harassment, alarm, or distress (including any racial, sexual, religious, or related aggravating factors)) whilst within a Virtual Reality environment/platform? Please mention the legislation used.*
- *How many of these reports were dealt with whereby a suspect was identified?*
- *How many of these reports were dealt with whereby a suspect was identified and arrested?*
- *How many of these reports were dealt with whereby a suspect was identified, arrested, and charged?*
 - o *What were these suspects finally charged with?*
 - o *What were the court outcomes?*
 - o *Are there any further publicly accessible details of these cases that can be shared?*
- *How many of these reports were dealt with whereby a suspect was not identified?*
- *How many of these reports were not dealt with due to the lack of knowledge on how to investigate this crime?*
- *How many of these reports were not dealt with due to the lack of resources (technical capability/legal support (CPS or suitable legislation)/suitable investigator) for this crime?*
- *How quickly were these reports closed (no further action) due to the above two factors (lack of knowledge/lack of resources)?, and finally*
- *In a table form, please list the demographic information of the victims and perpetrators, including*

age, gender, and any other relevant details that may be available.

You sent a further communication dated 10th April 2023 saying:

Could I ask that you try the following terms in your searches to refine/substantiate/eliminate which I have had come back from other forces (who have initially come back with similar comments as yourself), but have then come up trumps...

- The most common VR platforms are the likes of Metaverse, RecRoom, VR Chat, Bigscreen, NeosVR, Orbus, vTime, Oculus Home, SteamVR Home, Mozilla Hubs and Altspace

- Priority terms = VR, Virtual Reality, online, headset

- Accompanying terms = harassment, groping, abuse, sexual assault, verbal harassment, sexual harassment, racial harassment, misogyny, avatar, unwanted attention, unwanted touching, sexual touching, blocking

Under the Freedom of Information Act 2000 s1, I can confirm that Gloucestershire Constabulary holds some relevant information.

In order to respond to your request, and taking into account your subsequent clarification in relation to key words, research was carried out using performance analyses. At this present time there is no specific tag for recorded crimes committed on a VR platform. Consequently, the use of free text searching for the types of crimes you indicated and the key words you have kindly provided in the Modus Operandi field for recorded crimes has identified in excess of 1500 recorded crimes. In order to accurately determine whether each of these crimes specifically meets the requirements of the detailed questions you have posed would mean a physical trawl of each crime. This would clearly take far longer than the 18 hours prescribed by Section 12 of the Freedom of Information Act.

Section 17(5) of the Freedom of Information Act 2000 requires Gloucestershire Constabulary, when refusing to provide information (because the information is exempt) to provide you the applicant with a notice which: (a) states the fact, (b) specifies the exemption in question and (c) states (if not otherwise apparent) why the exemption applies.

In relation to your request Section 12 applies.

Section 12(1) – Fee Regulations states:

Section 1(1) of the Act 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 appropriate limit. (As detailed in the Data Protection and Freedom of Information Fees Regulations of 2004)

The appropriate limit at the moment is £450 calculated at an hourly rate of £25 per hour for all staff time incurred in:

- i. Determining whether information is held
- ii. Locating it
- iii. Retrieving it
- iv. Extracting the information to be disclosed from the other information.

In accordance with the Act, this letter represents a Refusal Notice for your request.

Section 16 – unable to assist

Unfortunately, I'm unable to assist in suggesting ways of refining your request to come within the confines of Section 12 of the Act. Even reducing the timescale would not reduce the number of records enough that a manual review could be conducted within the timescale but still provide meaningful information.

If you are not satisfied with this response or any actions taken in dealing with your request, you have the right to ask that we review your case under our internal procedure. Please note that a request for an internal review must be made within 20 working days of the response to your original request.

If you decide to request that such a review is undertaken and following this process you are still unsatisfied, you then have the right to direct your complaint to the Information Commissioner for consideration.

Yours sincerely