

Gloucestershire Constabulary
Police Headquarters
No.1 Waterwells, Waterwells Drive
Quedgeley, Gloucester. GL2 2AN
www.gloucestershire.police.uk



Your reference:

Our reference: FOI_25_0394

E-mail: FOI

@gloucestershire.police.uk

Direct dial: 01452 754304

Postal Address: As above

Date: 03/03/2026

Dear

Gloucestershire Constabulary Freedom of Information request FOI_25_0394

On 08/04/2025 you sent an email constituting a request under the Freedom of Information Act asking the following:

Under the Freedom of Information Act 2000, I kindly request the following information regarding arrests made by your police force from 1 January 2015 to the present date, specifically:

1. The total number of arrests made under:

- Section 1 of the Malicious Communications Act 1988
- Section 127 of the Communications Act 2003

2. A detailed breakdown of these arrests, specifying:

- How many were related to domestic abuse.
- How many were related to offensive or abusive posts on social media.
- How many were related to any other reasons (please specify).

Please provide this information broken down annually.

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

The primary function of the Constabulary's Arrest Recording System is to assist the Constabulary in adhering to Code C of the Police and Criminal Evidence Act. As such, its reporting function is limited. The system does not record detentions under specific Acts or specific offences under the Home Office Crime Recording Rules. Instead it uses Reason for Arrest (RFA) Categories. Whilst there is a singular Reason for Arrest category of Malicious Communications, it does not breakdown whether the arrest is for Section 1 of the Malicious Communications Act 1988 or Section 127 of the Communications Act 2003.

There is also no electronic way to determine the circumstances of the arrest and provide the breakdown as requested for Q2. The only way to identify if any relevant information is recorded is to manually review the arrest records for the given date range. This would involve reviewing over 600 records which would obviously take far longer than the 18 hours prescribed by 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 am unable to provide assistance under Section 16 of the Freedom of Information Act as I am unable to suggest any way to refine your request to come within the cost constraints of Section 12 of the Act.

Providing Information Outside of the Act

Although excess cost removes the Force's obligations under the Freedom of Information Act, I have supplied the information relevant to your request which has already been retrieved. I trust this is helpful but it does not affect our legal right to rely on the fees regulations for the remainder of your request.

Q1 – the total number of authorised detentions where the RFA is Malicious Communications, broken down by year

Year	Number of Records
2015	9
2016	17
2017	18

2018	29
2019	55
2020	70
2021	86
2022	125
2023	99
2024	106
2025	20
Total	634

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.

The Information Commissioner can be contacted via the following means:

Website - <https://ico.org.uk/>

Call their helpline - 0303 123 1113

Email - casework@ico.org.uk

Post –

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

Yours sincerely,

Disclosure Officer
Gloucestershire Constabulary