

Our Ref: 006500/17



**Freedom of Information Section**  
Nottinghamshire Police HQ  
Sherwood Lodge, Arnold  
Nottingham NG5 8PP

**Tel:** 101  
**Ext** 800 2507  
**Fax:** 0115 967 2896

03 October 2017

Dear

**Request under the Freedom of Information Act 2000 (FOIA)**

I write in connection with your request for information, which was received by Nottinghamshire Police on 23/08/2017.

Following receipt of your request searches were conducted within Nottinghamshire Police to locate the information you require.

**RESPONSE**

Under S 1 (1) (a) of the Freedom of Information Act 2000 (FOIA), I can confirm that Nottinghamshire Police does hold the information you have requested in part.

Please find below answers to your questions:-

***I would like to know how many people were arrested for alleged offences under Section 127 of the Communications Act 2003 in the following years: 2010, 2011, 2012, 2013, 2014, 2015, 2016 and the first six months of 2017, in the area under your administration. Please can you provide separate figures for each year.***

***Please can you also provide the number of crime reports under Section 127 for the same time period and in the same year-by-year breakdown.***

For the period 2010-2015, this information is not recorded in an easily retrievable format. Prior to June 2015 any arrests in relation to your request would have been recorded under the arrest category "Other."

To locate, retrieve and extract the requested information requires a manual search of all such records held within this category. An initial search revealed a total of 3469 records over a one year period alone.

We estimate that it would take approximately 3 minutes per record to search and extract the requested data, if recorded, which would, at the most conservative, equate to approximately 173 working hours (for one years worth of records). This takes the request over the cost threshold of 18 working hours and engages Section 12 (1) of the Act.

This letter constitutes a refusal notice under Section 17(5) of the Freedom of Information Act 2000 with Section 12(1) of the act being applied

**12. – (1)** Section 1(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 appropriate limit.

Should you wish for the Force to continue with your request, a more accurate figure will be provided within a fee's notice. The cost will need to be paid by you, prior to any further investigation. Please advise if you wish to proceed.

Alternatively you are invited to refine your request to bring it within the cost threshold – however due to the large numbers I am unable to suggest a refinement that would bring the request within the cost threshold.

In accordance with the Act, once one part of the request is excess cost the whole request exceeds the cost threshold. However, in the spirit of the Act, we have provided the information which we were able to retrieve in relation to the other parts of your request.

Please see below:

Arrest details are as follows:

01<sup>st</sup> June 2015 – 31<sup>st</sup> May 2016: 1  
01<sup>st</sup> June 2016 – 31<sup>st</sup> May 2017: 8

2016	7
2017	3

Please also be advised that Offences under Section 127 of the Communications Act are **non recordable** and therefore crime statistics will not be available.

### **Complaints Rights**

Your attention is drawn to the enclosed review procedure, which details your right of complaint.

**Copyright**

Nottinghamshire Police in complying with their statutory duty under Sections 1 and 11 of the Freedom of Information Act 2000 (FOIA) to release the enclosed information will not breach the Copyright, Designs and Patents Act 1988.

However, the rights of the copyright owner of the enclosed information will continue to be protected by law. Applications for the copyright owner's written permission to reproduce any part of the attached information should be addressed to the Force Solicitor, Nottinghamshire Police, Force Headquarters, Sherwood Lodge, Arnold, Nottinghamshire, NG5 8PP.

I would like to take this opportunity to thank you for your interest in Nottinghamshire Police.

Should you have any further enquiries concerning this matter, please write or contact the Freedom of Information Officer on telephone number 0115 9672507 or e-mail [freedomofinformation@Nottinghamshire.pnn.police.uk](mailto:freedomofinformation@Nottinghamshire.pnn.police.uk) quoting the above reference number.

Yours sincerely

**Disclosure Officer**

## **Are you dissatisfied with your response?**

Nottinghamshire Police has a duty to implement a complaints process in relation to Freedom of Information Act requests. If you are not content with our response, you may appeal, this process is known as an 'Internal Review'

Internal reviews are intended to be a fair and impartial means of reviewing the original request process.

You can appeal about your request if you:-

- Disagree with the Forces interpretation of your request;
- Believe the Force hold more information than has been disclosed to you;
- Disagree with the application of exemptions;

### **How do I appeal?**

All appeals should be made in writing and sent to:-

Information Management  
Nottinghamshire Police  
Force Headquarters  
Sherwood Lodge  
Arnold  
Notts  
NG5 8PP

or alternatively [freedomofinformation@nottinghamshire.pnn.police.uk](mailto:freedomofinformation@nottinghamshire.pnn.police.uk)

To deal with your appeal as quickly as possible please provide the unique identification number provided with your response and the reasons for your appeal.

Once we have received your request for appeal, your FOI response will be reviewed in full to identify any problems in the disclosure.

The review will be undertaken by someone different from, and preferably senior to, the original decision maker and this should be completed within 20 working days from receipt, in exceptional circumstances it may be extended by a further 20 working days.

## **What if I'm still not satisfied?**

You can appeal to the Information Commissioner. You can contact the Information Commissioner Office at the following:-

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

Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate)

E-mail: [casework@ico.org.uk](mailto:casework@ico.org.uk)