



Response Date:29/10/2026

**2026/1045 - Communications Offences Guidance**

In response to your recent request for information regarding;

**I am writing to request the following information relating to communications offences.**

- **A copy of any guidance or similar issued by your force to officers about investigating communications offences (specifically Section 179 Online Safety Act, Section 1 Malicious Communications Act and Section 127 Communications Act)**

Front line officers complete an online training package owned and released by the College of Policing under the title Op Modify. Guidance for investigation of this type of offence comes from the Crown Prosecution Service guidance, a copy of which is attached, which is endorsed by the NPCC. In addition, the investigating officer will have access to a specialist Digital Media Investigator who supports the investigating officer with identifying any digital priority lines of enquires, submissions and analysis. All investigations will be guided not by internal policy but by national Authorised Professional Practice (APP).

- **A copy of any policy or guidance issued by your force to officers about when to make arrests in relation to those offences, or when to use alternative methods (such as invitation to voluntary interview)**

The decision on whether to arrest or not in any investigation is one taken by the investigating officer taking cognisance of the facts of the case, risk, best evidence, and advice taken from the DMI as above.

Together the Investigating Officer and the DMI will agree a digital media strategy which will include how best to obtain, retain, and present that evidence. The decision on whether to arrest or not is one to be considered within PACE Code G (Police and Criminal Evidence Act 1984),(Copy attached) a lawful arrest without a warrant requires two mandatory elements:

1. Involvement or suspected involvement in the commission of a criminal offence.
2. Reasonable grounds for believing that the arrest is necessary

The investigating officer would be required to satisfy a custody Sergeant authorising the detention that the arrest passes this necessity test.

**I would like all document sent electronically please. Under Section 16 of the Act, I also ask that if this request cannot be fulfilled under the legislation, that you offer advice and assistance to help the request comply with the act. I look forward to your response within 20 working days.**

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THIS INFORMATION HAS BEEN PROVIDED IN RESPONSE TO A REQUEST  
UNDER THE FREEDOM OF INFORMATION ACT 2000, AND IS CORRECT AS AT 29/10/2026