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|  | **Our Reference:** 532-16 FOI 107877 |  | October 2016 |

**Freedom of Information Request**

You asked for the following information from the Ministry of Justice (MoJ):

**I am currently doing a research PhD in sociolinguistics and I am investigating how swearing and offensive language is controlled via Section 5 of the Public Order Act 1986.**

**I wondered if you would be able to give me the latest figures on cautions and prosecutions under that section of the act?  I have the figures up to 1997 but cannot seem to find anything afterwards.**

Your request has been handled under the Freedom of Information Act 2000 (FOIA).

I can confirm that the department holds some of the information that you have asked for. However, the information that is held is exempt under section 21 of the FOI Act because it is reasonably accessible to you, and I am pleased to inform you that you can access it via the following links.

The number of Offenders cautioned and defendants proceeded against at magistrates courts for offences under Section 5 of the Public Order Act 1986, in England and Wales, from 2005 to 2015 (latest figures available), can be found in the Criminal Justice Statistics Outcomes by Offence section in the latest annual Criminal Justice Statistics publication. Scroll down to and select these two sections:-

**125C Causing harassment, alarm or distress – summary**

**125D Racially or religiously aggravated harassment, alarm or distress - summary**

<https://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-december-2015>

Section 21 of the Freedom of Information Act exempts disclosure of information that is reasonably accessible by other means, and the terms of the exemption mean that we do not have to consider whether or not it would be in the public interest for you to have the information.

You can find out more about Section 21 by reading the extract from the Act and some guidance points we consider when applying this exemption, attached at the end of this letter.

You can find out more about information held for the purposes of the Act by reading some guidance points we consider when processing a request for information, attached at the end of this letter.

You can also find more information by reading the full text of the Act, available at <http://www.legislation.gov.uk/ukpga/2000/36/contents>.