



Home Office

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andy.biddulph@yahoo.com
Mr Andy Biddulph

Reference: T17901/12

10 December 2012

Dear Mr Biddulph,

Thank you for your e-mail of 24 November responding to mine (T14411/12) about the display of material on a website encouraging behaviour on the waterways that may harm others. One of our officials has investigated this matter and has tendered the following advice.

For those people that commit acts of violence, there are criminal offences which are punishable by law. The Crown Prosecution Service (CPS) provides legal guidance to prosecutors and caseworkers in relation to these criminal offences which include the definition of an offence and sentencing guidelines. This guidance can be found under the Legal Guidance section on the Crown Prosecution Service (<http://www.cps.gov.uk/legal/>). You may wish to look at the following: Offences against the person and Homicide.

You may also wish to look at Part 2 of the Serious Crime Act 2007 which includes a number of inchoate offences. These allow people who assist another to commit an offence to be prosecuted regardless of whether the underlying substantive offence is actually committed or attempted, and include:

- Section 44: Intentionally encouraging or assisting an offence;
- Section 45: Encouraging or assisting an offence believing it will be committed;
- Section 46: Encouraging or assisting offences believing one or more will be committed.

You may wish to read the CPS guidance for these offences (http://www.cps.gov.uk/legal/h_to_k/inchoate_offences/#Guidance) as well as the relevant legislation (<http://www.legislation.gov.uk/ukpga/2007/27/contents>).

Generally, if an offence is illegal off-line then it is considered to be illegal on-line and if you witness a crime then you should contact your local police force. The issue you raise regarding the Reading and District Angling Association website forum is a matter for the police, rather than the Home Office, as the police have the statutory power to arrest a person who is involved, or suspected of being involved, in a criminal offence.

If you (or the canoeist who drafted the letter you saw on the Reading and District Angling Association website) are not satisfied with the level of service you receive from the police then there is a formal complaints process which can be followed. Details of the complaints process is set out on each police force's website. To find details of your local force, please use the following link: http://www.police.uk/?view=force_sites.

Yours sincerely,

Lee Sheen
Direct Communications Unit