



FREEDOM OF INFORMATION REQUEST



Request Number: F-2012-03267

Keyword: Crime

Subject: Sexual Content on Facebook or Twitter

Request and Answer:

Question

The BBC is researching a news report about the number of complaints regarding self-generated sexual content online. We are sending an identical Freedom of Information requests to every police force in England, Wales, Scotland and Northern Ireland and will collate the results.

We appreciate many FOI departments are extremely busy, but as we are using the data as part of a nationwide investigation we would really appreciate a prompt response within 20 working days.

We would like to request under the Freedom of Information Act the following information from your force:

The number of recorded complaints of self-generated sexual content (see definition below) where the following is mentioned in the MO Notes:

- a.) Facebook
- b.) Twitter
- c.) Either Facebook or Twitter (if technically possible)
- d) a website (porn or otherwise)

Incidents of self-generated sexual content include: a couple filming themselves engaging in a sexual act or full intercourse; the footage, without the consent of one of the participants being posted online on either or all of the following; Facebook, Twitter or another unknown website (including porn ones), threats of posting self-generated sexual content online, causing intentional harassment/alarm/distress.

We need this data over three timeframes:

- a.) 1 January 2010 to 31 December 2010
- b.) 1 January 2011 to 31 December 2011

c.) 1 January 2012 to 31 August 2012

We also need this data in age breakdown

a.) under 16's

b.) 16- 26

c) 26 above

If the data on recorded incidents is unavailable (or the MO not searchable) then please provide data on recorded offences instead.

If it is impossible to respond to the entire request on cost grounds then please provide data for the most recent years only (1 January 2011 to 31 December 2011 and 1 January to August 31 2012).

If it is impossible to search the MO Notes for Facebook/Twitter/ Unknown website/All either on cost grounds or for technical reasons the please just conduct a single search for the word Facebook.

Clarification Received via Association of Chief Police Officers (ACPO)

We would like to request under the Freedom of Information Act the following information from your force:

The number of recorded complaints and/or crimes of self-generated sexual content (see definition below) where the following is mentioned in the MO Notes, found via a freetext search on a) Facebook and b) Twitter, on any crime/incident recording system.

Incidents of self-generated sexual content include: a couple filming themselves engaging in a sexual act or full intercourse; the footage, without the consent of one of the participants being posted online on either or all of the following; Facebook, Twitter or another unknown website (including porn ones), threats of posting self-generated sexual content online, causing intentional harassment/alarm/distress.

We need this data over two timeframes:

b.) 1 January 2011 to 31 December 2011

c.) 1 January 2012 to 31 August 2012

We also need this data in age breakdown

a.) under 16's

b.) 16- 26

c) 26 above

We would like a copy of the information held on the MO.

Answer

Section 17(5) of the Freedom of Information Act 2000 requires the Police Service of Northern Ireland, when refusing to provide such information (because the cost of compliance exceeds the appropriate limit) to provide you the applicant with a notice which states that fact.

It is estimated that the cost of complying with your request for information would exceed the "appropriate costs limit" under Section 12(1) of the Freedom of Information Act 2000, which is currently set by the Secretary of State at £450 (18 hours).

The Police Service of Northern Ireland's Information and Communications Services Department have advised that they can provide the number of incidents where Facebook and/or Twitter were

mentioned in the MO. However, each of these incidents would then need to be opened and assessed to determine whether any of them relate to crimes of self-generated sexual content. In 2011 there were 156 incidents that mentioned Facebook in the MO, 61 incidents that mentioned 'internet' and 1 incident that mentioned Twitter. In 2012 there were 130 incidents that mentioned Facebook in the MO notes, 56 incidents that mentioned 'internet' and 4 incidents that mentioned Twitter.

In order to extract further information from each of these incidents would take approximately ten minutes per incident resulting in 36 hours retrieval time for 2011 and 31 hours for 2012, greatly exceeding the cost threshold.

In accordance with the Freedom of Information Act 2000, this letter should be considered as a Refusal Notice, and the request has therefore been closed.

You may wish to submit a refined request in order that the cost of complying with your request may be facilitated within the 'appropriate limit'. In compliance with Section 16 of the Act, I have considered how your request may be refined to bring it under the appropriate limit. Unfortunately the nature and structure of the information requested makes this impossible.

Submission of a refined request would be treated as a new request, and considered in accordance with the Freedom of Information Act 2000, including consideration of relevant Part II exemptions.

Additionally, The Police Service of Northern Ireland can neither confirm nor deny that it holds any other information relevant to your request by virtue of the following exemption:

Section 23(5) Information relating to the Security bodies;

Section 23 is an absolute class-based exemption and therefore there is no requirement to conduct a harm or public interest test.

If you have any queries regarding your request or this decision please do not hesitate to contact me on 028 9070 0164. When contacting the Freedom of Information Team, please quote the reference number listed at the beginning of this letter.

If you are dissatisfied in any way with the handling of your request, you have the right to request a review. You should do this as soon as possible, or in any case within two months of the date of issue of this letter. In the event that you require a review to be undertaken, you can do so by writing to the Head of Freedom of Information, PSNI Headquarters, 65 Knock Road, Belfast, BT5 6LE or by emailing foi@psni.pnn.police.uk.

If following an internal review, carried out by an independent decision maker, you were to remain dissatisfied in any way with the handling of the request you may make a complaint, under Section 50 of the Freedom of Information Act, to the Information Commissioner's Office and ask that they investigate whether the PSNI has complied with the terms of the Freedom of Information Act. You can write to the Information Commissioner at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. In most circumstances the Information Commissioner will not investigate a complaint unless an internal review procedure has been carried out, however the Commissioner has the option to investigate the matter at his discretion.

Please be advised that PSNI replies under Freedom of Information may be released into the public domain via our website @ www.psni.police.uk

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.

