



FREEDOM OF INFORMATION REQUEST



Request Number: F-2014-00045

Keyword: Operational Policing

Subject: Search Engines Or Social Networking PSNI Have Asked To Be Removed

Request and Answer:

Question 1

Under the Freedom of Information Act, I would like to request details of internet content that you have requested search engines or social networking sites such as Google, Facebook and Twitter to remove.

For example, this video of Ross Kemp at July the Twelfth in Belfast last year was removed from YouTube due to a 'complaint from the government': <http://www.youtube.com/watch?v=71Dlv0ivrLI>

For 2013, please disclose the following:

1. The number requests made to search engines or social networking sites to remove content
2. For each request, please disclose:
 - when the request was made
 - a brief description of the content to be removed (including if possible what website it was on, what it contained, and any names or titles given to the content, e.g. names of YouTube videos)
 - the explanation given to the internet company as to why the content should be removed
 - whether or not the content was eventually removed

Answer

PSNI does hold information relevant to your request.

Part 1

As part of our policing function PSNI can obtain information about possible threats or other intelligence by paying attention to social media posts by members of the public. PSNI also uses social media to disseminate messages and information to the public about crime issues, crime prevention programmes, and other PSNI activities. On some occasions we do have to contact social network sites asking them to remove content of posts which could be offensive or may cause harm to individuals. In response to your requests we have checked our records and liaised with our various departments. PSNI does not hold a comprehensive central record of such requests. However following this search we can confirm that in 2013 we have recorded 52 incidents where contact has been made with social networking sites asking them to remove content. It is stressed however that this refers only to those incidents for which we have a record.

Part 2

The remaining parts of your request have now been considered and the decision has been taken not to supply the information.

Section 17(1) of the Freedom of Information Act 2000 requires the Police Service of Northern Ireland, when refusing to provide such information (because the information is exempt) to provide you the applicant with a notice which:

- (a) states that fact,
- (b) specifies the exemption in question and
- (c) states (if not otherwise apparent) why the exemption applies.

The purpose of this is to explain to you why we feel we cannot provide you with the information. In this case PSNI consider the exemption at Section 40(2)(a)(b) by virtue of Section 40(3)(a)(i) of the FOIA is engaged.

Section 40 (3)(a)(i) of the FOIA provides an exemption from the right to know where the information requested is personal data and is protected by the Data Protection Act if its disclosure to a member of the public would contravene any of the Data Protection Principles (section 40(3)(a)(i)). This particular exemption is absolute, which means there is no requirement on the PSNI to consider an additional public interest test.

Taking into account all of the circumstances relating to your request, PSNI considered whether any of the Data Protection Principles would be breached if this information was to be released. We specifically considered the first data protection principle which requires PSNI to only release information if it is 'fair and lawful' to do so. By providing you with specific details of those incidents, we would be revealing personal information about living individual(s) who can be identified from that information. Taking into account the nature of the information and the consequences such a disclosure may have, those person or persons would not expect us to do this. PSNI have therefore determined that it would not be fair to disclose the requested information and thus the first data protection principle would be breached.

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.