



FREEDOM OF INFORMATION REQUEST



Request Number: F-2022-00189

Keyword: Crime

Subject: Child Grooming/Exploitation via Video Sharing Platforms

Request and Answer:

Your request for information below has now been considered. In respect of Section 1(1)(a) of the Freedom of Information Act 2000 (FOIA) we can confirm that the Police Service of Northern Ireland does hold the information you have requested however 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. We have explained to you below that when PSNI estimates whether the appropriate limit is likely to be exceeded, it can include the costs of complying with two or more requests if certain conditions are met. In this case those conditions are met and complying with all of your requests would in our estimation exceed that appropriate limit set out in Regulation. We have explained this further below but also we followed the Information Commissioner’s Office guidance ‘*Requests where the cost of compliance exceeds the appropriate limit*’ in relation to this request, which also provides further detail on the application of section 12 (1) of the FOIA. This guidance is available on the ICO website at the following link:

https://ico.org.uk/media/for-organisations/documents/1199/costs_of_compliance_exceeds_appropriate_limit.pdf

You requested the following information from PSNI:

Request

I am writing to request information regarding cases of the online grooming, or sexual exploitation, of children on video-sharing platforms (VSPs) that have been reported to your police force between 1 January 2017 and 24 January 2022. Examples of VSP include, but are not limited to: Twitch; TikTok; Facebook Watch, and IGTV. Please provide me with the following:

Request 1

By calendar year (or by year and month if possible) the number of all reports to the police force of child grooming/exploitation, broken down by VSP. If possible, please also break this down by age and gender;

Request 2

By calendar year (or by year and month if possible) the outcome of all reports to the police force of child grooming/exploitation, broken down by VSP. For example, the outcome could be: referred to NCA/CEOP; report closed (e.g. insufficient evidence); arrest made etc. If possible, please also break this down by age and gender.

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. Section 12 of FOIA allows a public authority to refuse to deal with a request where it estimates that it would exceed the appropriate limit to either comply with the request in its entirety or confirm or deny whether the requested information is held. The estimate must be reasonable in the circumstances of the case. The ‘appropriate limit’ is currently £600 for central government and £450 for all other public authorities including PSNI. The relevant Regulations which define the appropriate limit for section 12 purposes are The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulation 2004 SI 2004 No 3244. These are known as the ‘Fees Regulations’ for brevity.

Regulation 4(3) of the Fees Regulations states that a public authority can take into account the costs it reasonably expects to incur in carrying out the following permitted activities in complying with the request:

- (i) determining whether the information is held;
- (ii) locating the information, or a document containing it;
- (iii) retrieving the information, or a document containing it; and
- (iv) extracting the information from a document containing it.

Under those regulations PSNI can calculate the time spent on each of these permitted activities at £25 per hour (thus if the activity(s) takes more than 18 hours PSNI will be in excess of the ‘appropriate limit’).

When a public authority is estimating whether the appropriate limit is likely to be exceeded, it can include the costs of complying with two or more requests if the conditions laid out in Regulation 5 of the Fees Regulations can be satisfied. Those conditions require the requests to be:

- made by one person, or by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign;
- made for the same or similar information; and
- received by the public authority within any period of 60 consecutive working days.

Regulation 5(2) of the Fees Regulations requires that the requests which are to be aggregated relate “to any extent” to the same or similar information. This is quite a wide test but public authorities should still ensure that the requests meet this requirement.

Enquiries have been made with more than one business area within PSNI in an attempt to provide you with information relevant to your request. However, enquiries have confirmed that retrieval of any relevant information would exceed the 18 hour cost limit set by the Secretary of State, under the FOI Act.

In explanation, one business area has confirmed there is no single report on PSNI’s NICHE recording database that provides all the details of each recorded crime. Relevant information is held in a range of fields and documents. To identify crimes where a VSP have been mentioned would require a manual search through all the fields and documents linked to the specified crime. Between 1st January 2017 and 24th January 2022 there have been around 970 crimes recorded relating to sexual grooming (including sexual communication with a child) and abuse of children through

prostitution and pornography. Around 560 of these crimes also have an online crime marker. To identify the relevant circumstances would require each report to be manually examined, including an assessment of the outcome as what has been requested is not based on the standard outcome applied to each crime. Although difficult to quantify, for the initial 970 crime records at 5 minutes per record would take around 80 hours thus the retrieval process would greatly exceed the 18 hour cost limit set by the Secretary of State under the FOI Act.

Keyword searches are an unreliable method of collecting data from Niche because they rely on searching through unstructured data. This means that you cannot automatically determine the context of the term found in the search result and a manual review is almost always required to decide if the result meets the criteria of the FOI – this often causes FOIs to go over cost. For unstructured data fields we also cannot rely on the data having been entered in such a way as to identify those records that are relevant. Spelling mistakes, abbreviations and aliases can all affect the reliability of a keyword search. In addition, we do not have the ability to search for keywords within external documents stored in Niche, so the scope with which we can do a keyword search is mainly limited to the likes of the Occurrence Enquiry Log and the Occurrence Summary.

Under Section 12 of the Freedom of Information Act 2000, if any part of the request exceeds the cost threshold then the whole request will be excess costs and there is no obligation to answer any part of the request.

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.

Advice and Assistance

Under Section 16 of the FOIA, PSNI will always try to assist you to refine your request and provide advice where we can. PSNI has considered how your request may be refined to bring it under the appropriate limit and we can provide the following information, however on this occasion due to the PSNI recording system we are unable to offer you any refinement for your requests.

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.

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 Corporate Information Branch, 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 Corporate Information Branch, 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 remain dissatisfied with the handling of your request, you may make a complaint to the Information Commissioner's Office, under Section 50 of the Freedom of Information Act, 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', or use the ICO self-service portal available at www.ico.org.uk/make-a-complaint/officialinformation-concerns-report/official-information-concern/

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 their 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.