

Keeping People Safe



## FREEDOM OF INFORMATION REQUEST



**Request Number:** F-2020-00471

**Keyword:** Organisational Information/Governance

**Subject:** Phishing Scams

### 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.

### Request 1

Under the Freedom of Information Act, I would like to request data from the last two years, 2018 and 2019 - for the time period 01/01 - 31/12. I would like all incidents of cases that fall under 'phishing', in particular, those that are related to email phishing, or email scams.

### Request 2

If you could supply me with reports of these and the status of each report, whether it was taken forward or not.

### Request 3

I would also like the details of the reports, for example, and if applicable, this could include the amount of money stolen, what was asked for, and the age of the victim.

### Request 4

I would also like this data broken down by location.

### 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').

Enquiries made in relation to your request has identified that retrieval of any relevant information would exceed the 18 hour cost limit set by the Secretary of State under the FOI Act. The record owner has confirmed, in essence 'phishing' incidents are not crimed. If a call is made to PSNI to report a 'phishing' incident and the individual has not lost money or had their personal details compromised, a contact record will be made on our systems and the caller signposted to *Action Fraud*. These incidents can come under various call types e.g. fraud, nuisance calls or suspicious general; therefore a clear figure on how many 'phishing' reports have been reported would be unclear.

Where the caller has suffered a loss or their details have been compromised then the incident should be crimed. PSNI do not record specific loss figures or the method of 'phishing' in a searchable format. Within the two year time period requested, the Niche database indicates there were 9,654 incidents classified as some type of fraud. Estimating 10 minutes to examine 1 record, the retrieval process would take approximately 1,600 hours, grossly exceeding the appropriate cost limit. Retrieval of the additional details would further exceed the appropriate cost limit.

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, as 'phishing' is a method of enabling either fraud or an account compromise and is not recorded as a crime type, retrieval of any relevant information would involve a manual trawl of records and therefore it is not possible to offer any refinement to assist your request.

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](mailto: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](http://www.psni.police.uk)

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