



## FREEDOM OF INFORMATION REQUEST



**Request Number:** F-2022-01924

**Keyword:** Crime/Incident Statistics Cyber Crime

**Subject:** Crimes Involving Tik Tok

### 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 some of 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](https://ico.org.uk/media/for-organisations/documents/1199/costs_of_compliance_exceeds_appropriate_limit.pdf)

### You requested the following information from PSNI:

For context in this request, I am trying to find out how many crimes have happened on TikTok/ because of TikTok. I would like to know the statistics going back 5 calendar years, as well as what types of crimes took place.

[https://ico.org.uk/media/for-organisations/documents/1199/costs\\_of\\_compliance\\_exceeds\\_appropriate\\_limit.pdf](https://ico.org.uk/media/for-organisations/documents/1199/costs_of_compliance_exceeds_appropriate_limit.pdf)

### Request 1

In the 2021 calendar year how many crimes were logged by your force when the social media app TikTok was recorded as being an element in the offence?

Note: I would hope that this could be achieved by a computer search of crimes for the word/s ‘TikTok’ and ‘Tik tok’.

## **Request 2**

In the 2021 calendar year how many crimes were logged by your force where the social media app TikTok was the modus operandi for the offence?

Note: I would hope that this could be achieved by a computer search of crimes for the word/s 'TikTok' and 'Tik tok'.

## **Request 3**

In reference to both questions 1 and 2, please provide me with the statistics for the calendar years going back to 2017.

Note: If going back 4 calendar years exceeds time or cost constraints, I would like the statistics for 3 calendar years, and so on.

## **Request 4**

Please provide me with a table showing a breakdown of the crimes from question 1 - when the social media app TikTok was recorded as being an element in the offence.

Note: To avoid falling into an exemption I am content for the names, ages, geography or any other detail to be redacted to allow for the disclosure of the incident and how it relates to TikTok.

## **Request 5**

Please provide me with a table showing a breakdown of the crimes from question 2 - when the social media app TikTok was the modus operandi for the offence.

Note: To avoid falling into an exemption I am content for the names, ages, geography or any other detail to be redacted to allow for the disclosure of the incident and how it relates to TikTok.

## **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').

The Record Owner has advised that there is no option to search for Tik Tok as a Modus Operandi for Crimes. This type of search is a keyword search which would require the manual examination of all crime records over five calendar years in total. The figure for the number of crimes recorded January - December 2021 alone is more than 103,000 and to examine each of these records would take at least ten minutes to check each occurrence which is 1,030,000 minutes or 17,166 hours for 2021 alone, to do so for 5 calendar years would be even greater, which grossly exceeds the FOI legislative cost of 18 hours.

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**

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, we have considered how your request may be refined to bring it under the appropriate limit and can advise as follows:

- PSNI can provide answers to Requests 1, 3, & 4.

Please be advised for **Requests 2 & 5** the relevant business area has determined that there is no current way of recording Tik Tok as the modus operandi.

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

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