



FREEDOM OF INFORMATION REQUEST



Request Number: F-2022-02174

Keyword: Crime/Incident Statistics Cyber Crime

Subject: Online Challenges

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 (PSNI) 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

The number of incidents recorded by the force since 2018, in which a person has been injured by either:

- Participation in, or action inspired by, a challenge (or suspected challenge), which has been advertised online (may include reference to social media challenge, video, post or trend).
- Action which appears to have been taken with the intent (or suspected intent) to film its outcome for the purpose of posting online (may include reference to a phone or camera being found set up to record the action).

Request 2

The above figures, broken down by year and, if the data allows, the age range of victims (under 10, 10-17, 18-25, over 25).

Request 3

The number of deaths recorded since 2018 which make reference to one of the above criteria (this may include reference to death by misadventure), also broken down, if the data allows, by year and age range of victims.

Answers 1-3

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').

PSNI can advise that enquiries made in relation to your requests have identified that the retrieval of information would exceed the 18 hour cost limit set by the Secretary Of State under the FOIA. The information requested whilst held electronically on the central database, is not held in a format that extracts the information without manual intervention, and a comprehensive search would need to be conducted to retrieve the information. In relation to Requests 1 and 2 an initial search was conducted using the term 'Social Media' which identified 8,426 incidents, that would need to be individually reviewed to determine if the criteria outlined in your request was met. At an estimate of 5 minutes to examine an individual occurrence, it would equate to a total of 421 hours, grossly exceeding the 18 hour cost limit.

This Request is put into a greater excess when considering Request 3. In relation to these requests PSNI are not able to service this request within the 18 hour limit as this information is held in a format which is not searchable under the criteria being requested, and in order to accurately answer this, we would have to trawl each individual incident manually. The relevant business area conducted a second search using the specific terms "Social Media Challenge", "Video" "Post" and "Trend" this search identified 22,296 incidents that would have to be individually reviewed, to ascertain the information. Working on the basis of this taking an estimate of 5 minutes for each incident, this would equate to about 1,133 hours to complete.

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, I have considered how your request may be refined to bring it under the appropriate limit. Unfortunately on this occasion as a manual trawl of records is required, we are unable to provide any refinement.

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.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.

If you remain unhappy about how your request has been handled you have the right to apply in writing to the Information Commissioner at 'Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. There are a number of other platforms you can use to contact the ICO and these can be found on the ICO's website at the following link: [Make a complaint | ICO \(https://ico.org.uk/make-a-complaint/\)](https://ico.org.uk/make-a-complaint/).

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.