TikTok’s Trials and Tribulations Continue With UK Data Protection Fine

TikTok has been fined £12.7 million (about $15.7 million) for breaches of UK data protection laws.

The UK’s data protection regulator (the ICO) has announced a fine of £12.7 million for “failing to use children’s personal data lawfully”. More specifically, the announcement states more than one million UK children under the age of 13 used the service in 2020; personal data of children was used without parental consent; and “TikTok ‘did not do enough’ to check who was using their platform and take sufficient action to remove the underage children that were.”

John Edwards, the UK Information Commissioner, commented, “There are laws in place to make sure our children are as safe in the digital world as they are in the physical world. TikTok did not abide by those laws… TikTok should have known better. TikTok should have done better. Our £12.7m fine reflects the serious impact their failures may have had.”

Nevertheless, this fine is a reduction from the ICO’s original notice of intent in September 2022 to fine TikTok £27 million. “Taking into consideration the representations from TikTok, the regulator decided not to pursue the provisional finding related to the unlawful use of special category data. That means this potential infringement was not included in the final amount of the fine set at £12.7 million,” says the announcement.

While this finding will please many privacy and children’s

advocates, many others do not believe it is enough. “1.4 million UK kids opened a TikTok account and offered their personal data to be processed,” comments Tara Taubman-Bassirian, a privacy advocate and EU GDPR specialist. “Do we know how and with whom these were shared? What we know is TikTok might pay £12.7 million for it. How much TikTok made and will continue to make… we don’t know.”

This last comment is pertinent. “Why such a drastic reduction of the fine by half, with no injunction to delete the data unlawfully collected?” Does this mean, she asks, “infringement is OK if you pay the price?”

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