

Reference: 01945923

Information Requests  
[information.requests@ofcom.org.uk](mailto:information.requests@ofcom.org.uk)

18 February 2025

## Freedom of Information request: Right to know request

Thank you for your request for information on weighting evidence provided during the consultation on the illegal harms proposals.

We received this request on 21 January 2025 and we have considered your request under the Freedom of Information Act 2000 (“the FOI Act”).

### Your request

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*Notes of meetings and discussions and any other written materials regarding the approach taken by Online Safety Policy Directors and Online Safety Principals with respect to weighting evidence provided by regulated entities and civil society/ victim groups during the consultation on the illegal harms proposals.*

### Our response

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If by ‘weighting evidence’ your request refers to the act of weighing up evidence provided by regulated entities and civil society/victim groups against others, then we do not hold this information, as we did not do this kind of weighting. Ofcom does not give differential treatment to evidence it receives on the basis of whether its source is from regulated entities, civil society, or victim groups. We consider all submissions equally and look at the validity of the arguments raised, and the evidence provided, in the specific context of each policy proposal we are considering.

If instead your request refers to any meetings, discussions and written materials considering all the evidence provided, then while we do hold information falling within the scope of your request, we are unable to provide this. Section 12 of the FOI Act provides that we are not obliged to comply with a request for information if we estimate that the cost of complying with the request would exceed the “appropriate limit”. The appropriate limit is set out in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 (the “Regulations”), and is, for Ofcom, £450. That sum is intended to cover the estimated costs involved in determining whether Ofcom holds the information requested, locating, retrieving and extracting the information from any document containing it. The Regulations provide that costs are to be estimated at a rate of £25 per person per hour, which equates to 18 hours of time. We estimate that it would take over 18 hours to locate, retrieve, identify and extract the information you have requested, for the reasons set out below.

We may be able to provide the information if the request was narrowed to include a date range, or included more specific criteria than considering the evidence we received.

We received around 200 responses to the Illegal Harms Consultation (as well as over 130 to the Protection of Children Consultation, and over 20 to our Animal Cruelty and Human Torture Consultation) and the vast majority of these were from either regulated entities or civil society. Responses varied in length, with many reaching 40-100 pages long. We considered these responses in detail, took into account each point made, and reflected our consideration of each point across our Statement. The discussions on the evidence received involved a large number of policy, protection of children experts, legal, economist, and technologist colleagues, and these discussions were conducted at the workstream level as well as with senior colleagues. The request would capture a very large proportion of all the documents we produced in the course of consulting on and finalising our decisions.

If you have any further queries, then please send them to [information.requests@ofcom.org.uk](mailto:information.requests@ofcom.org.uk) – quoting the reference number above in any future communications.

Yours sincerely,

## Information Requests

### **Request an internal review**

If you are unhappy with the response you have received to your request for information, or think that your request was refused without a reason valid under the law, you may ask for an internal review. If you do, it will be subject to an independent review within Ofcom. We will either uphold the original decision, or reverse or modify it.

If you would like to ask us to carry out an internal review, you should get in touch within two months of the date of this letter. There is no statutory deadline for us to complete our internal review, and the time it takes will depend on the complexity of the request. But we will try to complete the review within 20 working days (or no more than 40 working days in exceptional cases) and keep you informed of our progress.

Please email the Information Requests team ([information.requests@ofcom.org.uk](mailto:information.requests@ofcom.org.uk)) to request an internal review.

### **Taking it further**

If you are unhappy with the outcome of our internal review, then you have the right to [complain to the Information Commissioner's Office](#).