

Reference: 0380619



8 February 2017

Julia Snape
Information requests
information.requests@ofcom.org.uk

Freedom of Information: Right to know request

Thank you for your request for information which we received on 19 January and have considered under the Freedom of Information Act 2000 ('the Act').

You asked:

Please could you disclose to me any communications between Ofcom and any government department, agency, devolved administration or any other public body, relating to Russia Today, sent or received after January 1 2010.

We have given your request careful consideration but are unable to provide the information you are seeking. This is because, under section 393(1) of the Communications Act 2003, Ofcom is not permitted to disclose information which it has obtained under its statutory powers and which relates to a particular business, unless that business has provided its consent for us to do so or we are satisfied that one of the statutory 'gateways' in section 393(2) has been met. Ofcom does not have the consent of the broadcaster providing the RT service to disclose the information you have requested. Further, with the exception of the information we have already published below, we are not satisfied that any of the grounds set out in section 393(2) of the Communications Act 2003 have been satisfied so as to permit disclosure. Failure to comply with section 393 may constitute a criminal offence.

In circumstances where section 393 of the Communications Act 2003 applies, section 44 of the Act will also apply. Section 44 states that information will be exempt from disclosure where another enactment (in this case, the Communications Act 2003) prohibits it. This means that we are not obliged under the Act to disclose the information you have requested. Section 44 is an absolute exemption and is not subject to a public interest test. For further information in relation to section 44 of the Act, please see:

<http://www.legislation.gov.uk/ukpga/2000/36/section/44>.

While Ofcom is unable to provide the specific information you have requested, you may find it useful to refer to our "Broadcast Bulletin" which is published every fortnight on our website. The Broadcast Bulletin includes the latest decisions about the complaints we have received as well as a summary of the complaint. Issues of the Broadcast Bulletin are available via the following link to our website:

<http://stakeholders.ofcom.org.uk/enforcement/broadcast-bulletins>.

You may be interested to read Ofcom's previous published findings on content broadcast by RT, which are available in the links to the Broadcast Bulletins below:

- Ofcom Broadcast Bulletin 225
Advertising minutage RT, 2 October to 7 December 2012, various times
<http://stakeholders.ofcom.org.uk/binaries/enforcement/broadcast-bulletins/obb225/obb225.pdf>
- Ofcom Broadcast Bulletin 244
Syrian Diary RT, 17 March 2013, 10:30
<http://stakeholders.ofcom.org.uk/binaries/enforcement/broadcast-bulletins/2431/obb244.pdf>
- Ofcom Broadcast Bulletin 253
Joystick Warriors RT, 3 and 4 March 2014 at various times pre-watershed
<http://stakeholders.ofcom.org.uk/binaries/enforcement/broadcast-bulletins/obb2521/obb253.pdf>
- Ofcom Broadcast Bulletin 261
News RT, 22 May 2014, 07:00
<http://stakeholders.ofcom.org.uk/binaries/enforcement/broadcast-bulletins/obb2601/obb261.pdf>
- Ofcom Broadcast Bulletin 266
News RT, 1 – 6 March 2014, various times
<http://stakeholders.ofcom.org.uk/binaries/enforcement/broadcast-bulletins/obb266/obb266.pdf>
- Ofcom Broadcast Bulletin 319
CrossTalk RT, 11 July 2016, 12:30
https://www.ofcom.org.uk/data/assets/pdf_file/0018/96012/Issue-319-of-Ofcoms-Broadcast-and-On-Demand-Bulletin,-to-be-published-on-19-December-2016.pdf

I hope you find this information helpful. Please quote the reference above in any further communication.

Yours sincerely

Julia Snape

If you are unhappy with the response or level of service you have received in relation to your request from Ofcom, you may ask for an internal review. If you ask us for an internal review of our decision, it will be treated as a formal complaint and will be subject to an independent review within Ofcom. We will acknowledge the complaint and inform you of the date by which you might expect to be told the outcome.

The following outcomes are possible:

- the original decision is upheld; or
- the original decision is reversed or modified.

Timing

If you wish to exercise your right to an internal review **you should contact us within two months of the date of this letter**. There is no statutory deadline for undertaking internal reviews and it will depend upon the complexity of the case. However, we aim to conclude all such reviews within 20 working days, and up to 40 working days in exception cases. We will keep you informed of the progress of any such review. If you wish to request an internal review, you should contact:

Steve Gettings
The Secretary to the Corporation
Ofcom
Riverside House
2a Southwark Bridge Road

London SE1 9HA

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF