

Jerin John
Information Rights Adviser
Email: information.requests@ofcom.org.uk

16 May 2018

Freedom of Information Act request: RT

Thank you for your request for information received on 18 April 2018, which we have handled under the Freedom of Information Act 2000 (the “FOI Act”). You asked:

Can information please be publicly provided of the names of specific individuals, organisations, political parties, MPs, or other any other bodies or persons who may have lobbied or attempted to influence Ofcom in its decision to mount an investigation into RT's broadcasting at this particular time? If no such lobbying took place can Ofcom please specify in detail exactly which factors led them to make their decision of today.

We have taken your request as being one about the basis upon which we have recently begun seven investigations into particular programmes broadcast by RT, which we announced on 18 April 2018. If we have misinterpreted your request, please let us know so we can clarify the meaning and scope of your request.

Ofcom is a broadcast regulator and, as such, we consider all the complaints we receive, no matter who makes them.

We assess each complaint to determine whether it has alerted us to an issue which we consider warrants further investigation. We welcome viewer and listener complaints and we do not consider those who make complaints to us as “lobbying” or “attempting to influence us”, but for the purposes of responding to your request we have taken it that you are interested in this type of information.

We can confirm that we hold information that is responsive to your request as we have understood it.

We received complaints about three of the RT programmes currently under investigation. All of the programmes concerned were also identified by us in the course of our monitoring of the service.

The names of those who make complaints to us about broadcasts are personal information under the Data Protection Act 1998 (the “DPA”). As such, we may only disclose them if to do so is permitted by the DPA. We have carefully considered whether we can do so in response to your request. We have taken the view that, given that all the individuals concerned were, as far as we are aware, members of the public, to do so would be unlawful under the DPA. As a result, the information is exempt from disclosure under section 40 of the FOI Act.

However, we can say that none of the individuals concerned were MPs, nor are we aware of any links they might have with any political parties, the UK government, lobbying organisations, other countries' governments, or any other group or interest whose involvement in lobbying would need to be weighed in the balance in considering the public interest under the DPA.

As you might expect given the public interest in RT, we have also received other communications that do not relate to the seven programme investigations we are carrying out. Therefore, we consider that these fall outside the scope of your request.

I hope this information is helpful.

Yours sincerely,

Jerin John

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 exceptional 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