

Reference: 02086259

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

27 November 2025

Dear,

### Freedom of Information request: Right to know request

Thank you for your request for information concerning the letter sent to GAB and Ofcom's policy on free speech, disinformation and misinformation.

We received this request on 3 October 2025 and we have considered your request under the Freedom of Information Act 2000 ("the FOI Act"). We wrote to you on 29 October 2025 to say we needed more time to consider the public interest in disclosing or withholding the information – we have now concluded this.

#### Your request

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*"It is most ironic that you claim to not know what GAB is, when it because of the actions/ threats of your office that GAB, a social media platform, has now withdrawn from the UK.*

*This is the archive of the page, for those in your office who could not think to put the link in the archive.*

<https://archive.md/RV5tz>

*It is beyond comprehension that people in your office could not work out what GAB was from the url alone.*

*Please send me a full copy of the letter that was sent to GAB.*

*Could you send the reasons why this letter was sent and when censorship and fines would be applicable.*

*Can you send me Ofcom's policy on free speech, disinformation and misinformation with definitions."*

#### Our response

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1. *Copy of the letter that was sent to GAB and reasons why this letter was sent*

We consider that the first half of the letter has been partly disclosed on the following website <https://archive.md/RV5tz> and therefore consider that this is publicly available information which is therefore exempt from disclosure under section 21 of the FOI Act.

For the second half of the letter and for the reasons why this letter was sent, we can confirm that we hold this information in response to the request.

However, we are unable to disclose this information as we consider that its disclosure is exempt under the FOI Act. In particular, under section 44 of the FOI Act, information is exempt from disclosure if its disclosure is prohibited by or under any enactment. In this case, section 393(1) of the Communications Act 2003 (the "Communications Act") prohibits the disclosure of information about a particular business, in this case GAB social, which we have obtained in the course of exercising a

power conferred by, among other legislation, the Communications Act, unless we have the consent of that business or one of the statutory gateways under section 393(2) of the Communications Act is met, neither of which apply here. Section 44 is an absolute exemption under the Communications Act and does not require a public interest test.

We also consider that other exemptions under the FOI Act may apply in this case such as section 43 and 36 of the FOI Act.

*2. When censorship and fines would be applicable*

We have taken question 2 and 3 to relate to the Online Safety Act 2023 (the Online Safety Act).

We do not hold information in scope of this - the term censorship is not defined in the Online Safety Act.

In case helpful, on 26 June 2025, we published our policy statement on the implementation of the online safety fees and penalties regime. You can find this statement along with its annexes here [Online Safety - fees and penalties](#)

*3. Ofcom's policy on free speech, disinformation and misinformation with definitions*

We have not been able to find a standalone policy statement on free speech, disinformation and misinformation. However, these form part of Ofcom's work in several areas including OSA work and below we provide some information that may be helpful.

Ofcom does not have a specific definition of misinformation or disinformation which we use for all purposes nor are those terms defined by the Online Safety Act.

Whether content amounts to misinformation or disinformation turns on several factors including context and the right to freedom of expression. However, you may be interested in our [Discussion paper: Understanding online false information in the UK](#), which provides some commentary on that terminology and the potential harms that may arise (see pages 7-9).

In some cases where such content might amount to a relevant offence under UK law, we have set out our expectations in our [Statement on protecting people from illegal harms online](#). We are currently running a consultation on [Additional Safety Measures](#).

As required by the Online Safety Act, we have established an advisory committee to advise us about specific areas of our work relevant to disinformation and misinformation. See this page for more information: [Online Information Advisory Committee](#).

Please note that Ofcom also has media literacy duties in relation to misinformation and disinformation<sup>1</sup> and it has responsibilities to promote and research media literacy, to ensure that audiences are equipped with the skills to navigate and understand content including news and critically engage with, for example, the accuracy and partiality of news sources and content.

See our website for further publications relating to misinformation and disinformation e.g. [Understanding misinformation: an exploration of UK adults' behaviour and attitudes](#), [Barriers to identifying mis and disinformation](#),

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<sup>1</sup> As set out in section 11 and section 14(6)(a) of the Communications Act 2003.

<https://www.ofcom.org.uk/online-safety/illegal-and-harmful-content/statement-protecting-children-from-harms-online>

With regards to free speech/ freedom of expression, you may wish to see information published here: [Online harms and freedoms](#) and [Creating a safer life online for people in the UK](#).

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](#).